

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JANY LEVEILLE, SIRAJ IBN  
WAHHAJ, HUJRAH WAHHAJ,  
SUBHANAH WAHHAJ, and  
LUCAS MORTON,

Defendants.

No. 1:18-CR-02945-WJ

Pete V. Domenici U.S. Courthouse  
Bonito Courtroom

Albuquerque, New Mexico

wednesday, July 19, 2023

TRANSCRIPT OF PROCEEDINGS

JAMES HEARING

BEFORE THE HONORABLE WILLIAM P. JOHNSON

CHIEF UNITED STATES DISTRICT JUDGE

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USA v. LEVEILLE, et al. - 1:18-CR-02945-WJ

JAMES HEARING

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2 JAMES HEARING

3 \* \* \* \* \*

4 (In Open Court at 9:42 A.M.)

5 THE COURT: All right, this is United States vs. Jany  
6 Leveille, Siraj Ibn wahhaj, Hujrah wahhaj, Subhanah wahhaj, and  
7 Lucas Morton, Case No. 18-CR-2945.

8 would counsel enter their appearances for the record,  
9 please.

10 MR. HALL: Good morning, Your Honor. Tavo Hall and  
11 Kimberly Brawley on behalf of the United States. And also with  
12 us at counsel table is Special Agent Travis Taylor from the  
13 FBI.

14 MR. ELSENHEIMER: Good morning, Your Honor. Aric  
15 Elsenheimer and Angelica Hall on behalf of Ms. Leveille. We're  
16 also joined at counsel by Daniel Berg, who is a paralegal in  
17 the FPD office.

18 MS. FOX-YOUNG: Good morning, Your Honor. Justine  
19 Fox-Young on behalf of Subhanah wahhaj, who is present.

20 MR. KOCHERSBERGER: Good morning, Your Honor. Don  
21 Kochersberger and Marshall Ray on behalf of Hujrah wahhaj, and  
22 she is present, as well.

23 THE COURT: And Mr. Morton, you're representing  
24 yourself this morning?

25 MR. MORTON: Yes, Your Honor.

1 THE COURT: And Mr. Wahhaj, you're representing  
2 yourself?

3 MR. WAHHAJ: Yes, Your Honor. Good morning.

4 THE COURT: Good morning. Are the writing hands --  
5 okay, good.

6 Just as a preliminary matter -- let me grab my files.  
7 Mr. Hall, just so we can make sure we're all on the same page  
8 here, regarding the seven counts of the indictment, Count 1,  
9 conspiracy to provide material support to terrorists, in a  
10 nutshell, that's the actions of assembling the compound?

11 MR. HALL: Yes, Your Honor. It's several things that  
12 are defined as material support under the statute. So it  
13 includes lodging, training, providing personnel.

14 THE COURT: That's the conspiracy. And then Count 2  
15 is the actual actions of doing what you just stated?

16 MR. HALL: Yes, Your Honor.

17 THE COURT: Okay. Now, Count 3, that charge is five  
18 of the Defendants, right? Subhanah Wahhaj and Hujrah Wahhaj  
19 aren't charged in Count 3, correct?

20 MR. HALL: It charges three of the Defendants, yes,  
21 Your Honor.

22 THE COURT: And that's the conspiracy to murder an  
23 officer or employee of the United States, right?

24 MR. HALL: Correct, Your Honor.

25 THE COURT: I'm going to skip over Count 4. Count 5

1 is the possession of a firearm while unlawfully in the United  
2 States. So the firearms charge is directed at Defendant Jany  
3 Leveille, and then the other four Defendants are charged with  
4 aiding and abetting that possession of firearms, correct?

5 MR. HALL: Yes, Your Honor, correct.

6 THE COURT: And then Count 6 charges four of the  
7 Defendants. It doesn't charge Mr. Siraj Ibn Wahhaj, because  
8 he's the biological parent, but the other four are charged with  
9 the conspiracy to kidnap the child who is referenced as John  
10 Doe 1, and then Count 7 is the actual act of kidnapping,  
11 correct?

12 MR. HALL: Correct, Your Honor.

13 THE COURT: Now, Count 4 charges all seven Defendants  
14 with conspiracy to commit an offense against the United States.  
15 In a nutshell, what is the conspiracy charged in Count 4?

16 MR. HALL: Yes, Your Honor. So that would go to the  
17 Count 5 underlying offense, the 922 possession by a person  
18 unlawfully in the United States.

19 THE COURT: All right. Now, in terms of what the  
20 Government has to show to prove a conspiracy and a membership  
21 in a conspiracy, the Government must show that two or more  
22 people agreed to violate the law, that people knew at least the  
23 essential objectives of the conspiracy, that the people  
24 knowingly and voluntarily became a part of it, and that the  
25 alleged co-conspirators were independent, and I'll cite United

1 States vs. Small. And you've got case law, statements by  
2 conspirators that are in furtherance of a conspiracy when they  
3 are intended to promote the conspiratorial objectives. And  
4 then the Tenth Circuit, of course, has held there must be some  
5 evidence independent from the alleged co-conspirator statements  
6 linking the Defendants to the conspiracy or conspiracies  
7 charged, and then, of course, there's the aspect of James.

8 How does the Government intend to proceed this  
9 morning?

10 MR. HALL: So Your Honor, the 34 exhibits -- and I  
11 think it's actually more than that, because there are some  
12 sub-exhibits -- are all being offered as proof of the existence  
13 of the conspiracy, the purpose, and the members of the  
14 conspiracy. But a large portion of those are not going to  
15 be -- like the statements that are in, for example, thousands  
16 of pages of Facebook records, they're not being offered, and  
17 they won't be offered at trial for proof of the matter asserted  
18 -- or truth of the matter asserted, they're going to be  
19 nonhearsay statements, or evidence of the existence of the  
20 conspiracy and so on. I assume we'll be briefing that  
21 additionally after the hearing.

22 So we do have a chart that will be Exhibit 35, and  
23 I'll pass that around when we get to it in the direct  
24 examination. The chart attempts to sort of distill all of  
25 those exhibits down into an easy to follow format, and it's

1 color coded so the ones that are generally not being offered  
2 for the truth of the matter asserted, they're being noticed and  
3 they're being described here so that the existence of the  
4 conspiracy can be supported. But in terms of actual  
5 co-conspirator statements under 801(d)(2)(E), those aren't  
6 going to be offered in that regard. And then the other --  
7 well, the chart will make it clear, hopefully, that those  
8 statements that remain are for that purpose, or partially, and  
9 it could be one or the other.

10 So the Government is expecting, or is intending to go  
11 forward today with a witness, the case agent who has done the  
12 investigation on this case. He will go through and describe  
13 the existence of the conspiracy and the members and the  
14 purpose, so the establishment of this background, and then  
15 we'll go through the chart with him and just kind of hit the  
16 main points that are in the exhibits and what the statements  
17 that would be in furtherance of the conspiracy might be. So  
18 we'll touch those, but they'll be available for the Court, in  
19 addition to our briefing that's already been filed, to sort of  
20 be a road map.

21 And I do want to just make a couple of other things  
22 clear. In terms of the Charge 6, Count 6, the conspiracy to  
23 commit kidnapping, Siraj Wahhaj is not charged with that,  
24 obviously, because he's the biological father, but he is an  
25 unindicted co-conspirator, and the factual nature of everything



1 that took place happened whether he's charged or not. So we'll  
2 be treating him in that manner in terms of statements and  
3 actions.

4           Secondly, the United States is going to remove  
5 Exhibit 28 from the filing. It was never really going to be  
6 offered for the truth of the matter asserted anyway. I think  
7 we thought at the time that that letter -- it's a letter from  
8 Lucas Morton, handwritten at some point in his detention  
9 post-arrest. We thought the letter -- there were several  
10 letters written by him. Some were sent to the Government and  
11 others, and we thought that that letter was one that was done  
12 that way. But we can't confirm yet, we aren't sure yet if it  
13 was written just for the purposes of competency evaluation.

14           So in an abundance of caution, since we don't know  
15 for sure that it was not, we'll just remove that for now with  
16 the reservation, obviously, that if we can confirm that it was  
17 not just written for the purpose of competency, it would still  
18 be an admission by a party opponent, at least as to Lucas  
19 Morton. But we'll deal with that later. It was never  
20 something that was going to be offered as a statement for the  
21 truth of the matter asserted here anyway, it was more in the  
22 context of the existence of the conspiracy. But 28 is removed.

23           THE COURT: Okay. Before we proceed with witness  
24 testimony, did defense counsel want to state anything on the  
25 record?

1 MR. ELSENHEIMER: We just want to make clear for the  
2 record that we fundamentally disagree with the idea that Siraj  
3 Wahhaj is an unindicted co-conspirator on either of the  
4 kidnapping charges. He cannot be charged with that crime, and  
5 you cannot conspire to commit something that is not a crime.  
6 He is not an unindicted co-conspirator, and we would like to  
7 have the opportunity to brief that, because we don't think that  
8 they can piggyback on the incorrect legal assumption that  
9 Mr. Wahhaj is an unindicted co-conspirator to bring in his  
10 statements for Counts 6 and 7. That's just a fundamental  
11 misunderstanding of the law, and we would like to be able to  
12 brief that issue, because it's really critical.

13 THE COURT: Sure. All right. I mean, I think  
14 clearly that should be briefed.

15 MS. FOX-YOUNG: And Your Honor, we talked to the  
16 Government this morning. If it's the Court's will, we thought  
17 we all could brief whatever issues come out of today's hearing  
18 pretty quickly after receiving a transcript. I know we have a  
19 long day ahead of us, but we're all -- the parties are in  
20 agreement to do that on the Court's time-line. I'm sure that  
21 there are going to be some other thorny legal issues that will  
22 come up, and we'd like the opportunity to brief them.

23 THE COURT: Okay. Just a second.

24 All right, then, Mr. Hall, you may proceed.

25 MR. HALL: Thank you, Your Honor.

1 The United States calls Special Agent Travis Taylor.

2 (FBI SPECIAL AGENT TRAVIS TAYLOR, GOVERNMENT WITNESS, SWORN)

3 MR. GARCIA: Please have a seat and state your full  
4 name for the record.

5 THE COURT: Before you begin, Richard.

6 (A discussion was held off the record.)

7 THE COURT: All right, you may proceed.

8 THE WITNESS: Hello. My name is Travis Taylor.

9 TESTIMONY OF FBI SPECIAL AGENT TRAVIS TAYLOR

10 DIRECT EXAMINATION

11 BY MR. TAVO HALL:

12 Q. Good morning, Agent Taylor. Can you please share where  
13 you are employed?

14 A. I'm employed by the FBI.

15 Q. And how long have you worked for the FBI?

16 A. I've worked for the FBI in a capacity for approximately  
17 nine years, and as a Special Agent for almost six.

18 Q. And are you the case agent in this case, the United States  
19 vs. Leveille, et al.?

20 A. I became the case agent in August of 2018.

21 Q. So you've been the case agent since August of 2018 until  
22 present?

23 A. Correct.

24 Q. And as part of your duties as the case agent, did you  
25 investigate possible conspiracies involving the Defendants in

1 this case?

2 A. Yes, sir.

3 Q. So I'd like to start big picture first, and then we'll  
4 narrow down into some of the specific evidence that you became  
5 aware of in your investigation. But generally speaking, as a  
6 Special Agent in the FBI, how do you go about investigating  
7 conspiracies?

8 A. Oftentimes through interviews, digital evidence, physical  
9 evidence, sometimes through source reporting, things of that  
10 nature.

11 Q. And in your investigation of a conspiracy, generally, what  
12 kind of evidence are you looking for to try to understand  
13 whether there's an agreement?

14 A. Communication among the parties that they are working  
15 together for a goal, that they're helping one another either  
16 financially, logistically, through lodging, other things of  
17 that nature.

18 Q. Do co-conspirators always explicitly lay out what their  
19 agreements are and their purposes in easy to follow clear  
20 language?

21 A. Not always.

22 Q. Do co-conspirators sometimes speak in coded or vague  
23 language?

24 A. Sometimes.

25 Q. Do they sometimes assume that each other -- that they know

1 what each other are talking about without being explicit?

2 A. Yes.

3 Q. What about consistency, and you mentioned this a little  
4 bit, but consistency of actions or alignment of actions by  
5 multiple people. Is that something that you look for in a  
6 conspiracy investigation?

7 A. Yes.

8 Q. And what about corroborating evidence? Do you try to  
9 corroborate certain things that might help show if there's a  
10 conspiracy or not?

11 A. Sure. You're looking for different sources of evidence  
12 that show -- corroborate, say, a witness statement, or physical  
13 evidence, or digital evidence that you found.

14 Q. Is it fair to say that, like, the more people that say  
15 they saw something, the more likely you are to follow that as  
16 something that might have happened?

17 MR. ELSENHEIMER: Objection, leading.

18 THE COURT: Do the Rules of Evidence apply?

19 MR. ELSENHEIMER: I don't think -- the Rules of  
20 Evidence don't apply, but I don't think the Government can ask  
21 leading questions on direct.

22 THE COURT: I think they can in a hearing like this.  
23 Overruled.

24 A. Do you mind repeating the question?

25

1 BY MR. HALL:

2 Q. Yes. Is it fair to say that the more people who say they  
3 saw something, the more likely you are to follow up on thinking  
4 that that's something that happened?

5 A. The more the people say something happened, or the more  
6 that you find pieces of evidence indicating that it happened,  
7 would be corroborating evidence that that may have occurred,  
8 that that activity may have occurred.

9 Q. Can you describe the conspiracy or the conspiracies that  
10 you investigated in this case?

11 A. Conspiracy to conduct kidnapping. Conspiracy to provide  
12 material support. Conspiracy to assist an individual in  
13 conducting 922(g), illegal alien in possession of a firearm.  
14 And conspiracy to harm a Government official. I believe I  
15 covered all the conspiracies.

16 Q. Sure, thank you.

17 Did you find any evidence of the existence of agreements  
18 between the Defendants related to these four conspiracies in  
19 your investigation?

20 A. Yes.

21 Q. So let's start -- I guess one way to organize this, and  
22 one way I think we'll do it, is let's kind of go through each  
23 conspiracy and we'll talk about some of the evidence that you  
24 uncovered. So we'll go through it that way, if that makes  
25 sense.

1 A. Sure.

2 Q. So let's start with the kidnapping conspiracy. And I will  
3 refer to -- I know we've been saying JD 1, or John Doe 1, in  
4 all the written materials. I may just refer to him as  
5 Abdul-Ghani, if that makes sense to you.

6 A. Yes.

7 Q. So who was Abdul-Ghani?

8 A. Abdul-Ghani was a three-year-old who was the biological  
9 son of Hakima Ramzi and Siraj Wahhaj.

10 Q. And prior to -- well, at some point, was he taken in an  
11 alleged kidnapping?

12 A. Yes.

13 Q. And prior to that, who did he live with primarily?

14 A. Hakima Ramzi.

15 Q. And that's his biological mother?

16 A. Correct.

17 Q. Did you learn of any evidence in your investigation that  
18 the other Defendants knew that Abdul-Ghani lived primarily with  
19 his mother?

20 A. Through witness testimony, Hakima Ramzi lived with -- or  
21 Abdul-Ghani lived with Hakima Ramzi at a different place than a  
22 lot of the other Defendants.

23 THE COURT: would you spell the three-year-old's  
24 name, please?

25 THE WITNESS: A-b-d-u-l. Ghani, G-h-a-n-i. And then

1 last name wahhaj, w-a-h-h-a-j.

2 THE COURT: Thank you.

3 BY MR. HALL:

4 Q. So you mentioned that through witness interviews and other  
5 evidence, that you found evidence that the other Defendants  
6 knew that Abdul-Ghani lived separately with his mother. What  
7 part -- where in the country was this?

8 A. Atlanta, Georgia.

9 Q. Did you uncover evidence that Abdul-Ghani needed special  
10 care and medication?

11 A. Yes.

12 Q. And can you describe, just very generally, what that was?

13 A. He was prescribed medication to assist with his seizures,  
14 which was a birth defect called HIE, hypoxic ischemic -- I  
15 can't remember exactly the medical term for it. But he had a  
16 prescription to help assist in preventing those seizures and  
17 lessening the severity of those seizures.

18 Q. And who primary provided the special care and medication  
19 that he needed?

20 A. Hakima Ramzi.

21 Q. Did you uncover evidence that the Defendants knew that  
22 Abdul-Ghani needed special care and medication?

23 A. Siraj wahhaj was aware of his prescription. He did not  
24 agree with the medicine, and because of that, due to witness  
25 statements from individuals, Hakima Ramzi gave him half the



1 medication that was prescribed to him. And several of the  
2 witnesses also testified, I believe -- or through interviews,  
3 discussed that he was not given medication while with Siraj  
4 Wahhaj in New Mexico.

5 Q. What about the other Defendants -- well, let me ask you  
6 this. Was it apparent from being around Abdul-Ghani that he  
7 needed -- that he had medical issues?

8 A. Yes. I think everyone knew that he had a medical issue  
9 from birth.

10 Q. Can you describe very generally what the term ruqyah  
11 means, as far as is relevant to this case?

12 A. Ruqyah in western terms would be similar to an exorcism.  
13 It could be conducted on an individual to rid them of jinns or  
14 shaytans.

15 Q. Was there any evidence that you uncovered during your  
16 investigation that any of the Defendants took steps to learn  
17 about ruqyah?

18 A. Yes.

19 Q. About when did that happen, at least as far as you're  
20 aware?

21 A. I believe it was October of 2017 that Siraj Wahhaj and  
22 Hujrah Wahhaj went to the United Kingdom to attend, I believe  
23 it was a seminar, from a sheik there who specializes in  
24 conducting ruqyah.

25 Q. And how does ruqyah play into the alleged conspiracy to

1 kidnap Abdul-Ghani?

2 A. Well, so Jany Leveille believed that -- Jany Leveille and  
3 Siraj believed that Abdul-Ghani was possessed by jinns and  
4 shaytans and needed ruqyah to be conducted on him to rid his  
5 body of that, and Jany Leveille had a revelation that they  
6 needed to take the child in order to perform those ruqyahs.

7 Q. Can you see that on your screen?

8 A. Yes.

9 Q. So I'm showing you what has been submitted as Government's  
10 Exhibit 24. At the top there, do you know who Captain Stubbs  
11 and Detective Porter are?

12 A. Yes.

13 Q. Who are they?

14 A. Police officers with Clayton County Police.

15 Q. Is that -- what state is that?

16 A. Georgia.

17 Q. Did they have a role in the case somehow regarding the  
18 kidnapping of Abdul-Ghani?

19 A. Yes.

20 Q. So based on the beginning part of this, do you recognize  
21 what this document is?

22 A. I believe it's a police report from them.

23 Q. I'm scrolling down to Page 2, and you'll see the  
24 highlighted portions there. Can you just describe what is  
25 being articulated in this police report based on the

1 highlighted parts?

2 A. would you like me to read the highlighted parts?

3 Q. That works.

4 A. "She advised that this is the result of his birth defect  
5 and that Siraj thought that his son had the devil or jinn  
6 inside of him. Jamilla" -- who I believe is referring to  
7 Jamilla Jihad -- "advised that Siraj believed that Hakima" --  
8 believed to be Hakima Ramzi -- "was practicing black magic on  
9 Abdul-Ghani. Hakima then advised that Siraj returned from  
10 London and that he did ruqyah on her son, Abdul" --  
11 Abdul-Ghani. "This was a result, also, that Siraj believed  
12 that Abdul-Ghani had the devil in him, so he wanted to have the  
13 jinn removed from him. Jamilla advised that when Siraj Ibn  
14 wahhaj returned from London, that he had crazy ideas."

15 MS. FOX-YOUNG: Your Honor, if we could just get the  
16 Bates for the record, it'll help us track it.

17 THE COURT: Sure. Can you state that?

18 MR. HALL: 22389.

19 BY MR. HALL:

20 Q. who is Jamilla?

21 A. Jamilla Jihad is a wife of Siraj Latif wahhaj.

22 Q. And who is that?

23 A. The father of Siraj Ibn wahhaj. Siraj Latif wahhaj is  
24 located in New York and also has, I believe, a residence in  
25 Atlanta Georgia, as well.

1 Q. So is Jamilla Jihad like a stepmother in some ways, then?

2 A. Yes.

3 Q. To Siraj and any of the other Defendants?

4 A. I believe so.

5 Q. The other two Defendants being --

6 A. Hujrah and Subhanah wahhaj.

7 Q. Okay. So you touched on this briefly, but in addition to  
8 Siraj wahhaj's motivations and intent for taking Abdul-Ghani  
9 from Hakima, was there evidence you uncovered of any other  
10 Defendant who also wanted to have Abdul-Ghani taken away from  
11 Hakima Ramzi?

12 A. Through interviews and Jany's journal, Jany Leveille also  
13 wanted to take Abdul-Ghani from his biological mother.

14 Q. And what was Jany's reasoning?

15 A. Well, when Hakima Ramzi became pregnant with Abdul-Ghani,  
16 Jany Leveille also believed to be pregnant, as well. After  
17 some time, she I think it was stated as lost the pregnancy, but  
18 Hakima Ramzi's pregnancy continued on and gave birth to  
19 Abdul-Ghani. There were statements that people would make, per  
20 her journal, that people would make that Abdul-Ghani resembled  
21 Jany Leveille. And then Jany Leveille believed through black  
22 magic that Hakima Ramzi stole Abdul-Ghani from her womb, and so  
23 she believed the child to be hers.

24 Q. Is this in addition to needing to get jinns or shaytans,  
25 or exorcizing things out of Abdul-Ghani? Did she share that

1 view with Siraj?

2 A. Yes.

3 Q. Was there evidence that you uncovered that the other  
4 Defendants were aware of Siraj and Jany's reasonings for taking  
5 Abdul-Ghani?

6 A. Can you repeat the question?

7 Q. Did you uncover any evidence that the other three  
8 Defendants were aware of the reasoning that Jany and Siraj had  
9 in taking Abdul-Ghani away from Hakima Ramzi?

10 A. I believe there's statements from witnesses talking about  
11 how they were aware that the family members, to include Hakima  
12 Ramzi and Jamilla Jihad, had messaged Subhanah and others that  
13 they would like to return the child to Hakima Ramzi, and that  
14 Jany in her journals had written about the reasons for taking  
15 Abdul-Ghani, which per some of the witnesses at the compound  
16 was a well-known text.

17 Q. Let me ask you this. The other witnesses you referenced,  
18 are these some of the children?

19 A. Correct.

20 Q. Were they aware of the reasoning and the basis behind why  
21 Abdul-Ghani was taken?

22 A. Yes.

23 Q. I think you mentioned Jany's book --

24 A. Yes.

25 Q. -- that it also discussed the reasoning for this.

1 A. Yes.

2 Q. And was there evidence that you uncovered that the other  
3 Defendants were aware of the book?

4 A. Yes.

5 Q. Now, you mentioned this, I think, in terms of the online  
6 messages, but was there evidence that Subhanah, Hujrah, and  
7 Lucas Morton knew that Jany and Siraj were keeping Abdul-Ghani  
8 from Hakima Ramzi, that they knew that he had been taken away  
9 and he was being kept?

10 A. Yes.

11 Q. Was there any evidence that Subhanah, Hujrah, and Lucas  
12 supported or helped Jany and Siraj keep Abdul-Ghani away from  
13 Hakima Ramzi?

14 A. Well, from Alabama to New Mexico, Lucas Morton, Subhanah  
15 Wahhaj, and others transported Abdul-Ghani across state lines  
16 to New Mexico. Also, when talking to other family members  
17 located in Georgia, who were asking to have the family return  
18 Abdul-Ghani, several of them stated that the family was telling  
19 lies and did not discuss where Abdul-Ghani was, or that they  
20 were in possession of Abdul-Ghani.

21 Q. Was there any evidence of what Subhanah, Hujrah, and Lucas  
22 Morton's motivations or objectives might have been in assisting  
23 Jany and Siraj?

24 A. Well, per eyewitness testimony and her journal, Jany  
25 Leveille was the leader of that group, being considered the

1 Biblical term of Mary, and she instructed others what to do  
2 given that she'd receive messages from God and then would  
3 translate them and give direction in that way, and the others,  
4 per testimony and per her journal, would follow her direction.

5 Q. So you're saying they believed -- are you saying that the  
6 other three believed in Jany, or followed Jany?

7 A. Correct.

8 Q. And when you say per testimony, do you mean per witness  
9 statements?

10 A. Yes.

11 Q. Just actually, how did Abdul-Ghani ultimately get taken  
12 away from Hakima Ramzi?

13 A. Jany Leveille, I believe, had a revelation that they  
14 needed to take the child to conduct ruqyah, and so she  
15 instructed Siraj wahhaj to go to Hakima Ramzi's house and take  
16 the child. Siraj wahhaj went to Hakima Ramzi's house and said  
17 that he was going to take Abdul-Ghani to the park, and he never  
18 returned. He never returned Abdul-Ghani to Hakima Ramzi's  
19 house, and instead brought Abdul-Ghani over to, I believe it  
20 was where Jany was.

21 Q. And after they had him over where Jany was, did they go  
22 anywhere else in Atlanta with Abdul-Ghani, that you know of?

23 A. I believe they went over to Hujrah's house, as well.

24 Q. And so who all would have been there at Hujrah's house  
25 once they had taken Abdul-Ghani?

1 A. Hujrah and her daughter, and I believe Lucas Morton and  
2 Subhanah were co-located there. I can't say for sure at that  
3 exact time. And then the children, the remaining children of  
4 Jany Leveille, Siraj, and Hujrah.

5 Q. Now, is there any evidence that you uncovered where the  
6 group you just mentioned at Hujrah's house became aware  
7 directly of the fact that Hakima Ramzi wanted Abdul-Ghani back?

8 A. There was messages from Hakima Ramzi trying to get in  
9 contact with the group and with Siraj to return Abdul-Ghani,  
10 and that he needed to be returned.

11 Q. Did Hakima ever appear at Hujrah's house?

12 A. I can't recall exactly. I think there was a time that she  
13 appeared, but I don't remember the date.

14 Q. Sure. Is there any evidence that you found that  
15 Abdul-Ghani may have expressed a desire to return to his own  
16 mom?

17 A. There was a moment that he was -- he had mentioned that he  
18 wanted to go home.

19 when you asked earlier about Hakima Ramzi, is this in  
20 regard to the incident where she came with the police officer?

21 Q. Yes.

22 A. Yes, yes.

23 Q. And that's responsive to my last question?

24 A. Correct, yes. Siraj wahhaj, I think, opened the door  
25 partially and discussed -- had conversations with the police



1 officer.

2 Q. And what happened at the end of that interaction?

3 A. Abdul-Ghani was not returned and the door was closed, and  
4 I think Hakima Ramzi then had to file paperwork.

5 Q. Did you find any evidence of the Defendants crossing state  
6 lines with Abdul-Ghani after that?

7 A. Yes.

8 Q. Where did they go?

9 A. First to Alabama.

10 Q. And who went to Alabama?

11 A. Siraj Wahhaj, Jany Leveille, Subhanah Wahhaj, Lucas  
12 Morton, Hujrah Wahhaj, and then all their children,  
13 collectively.

14 Q. Was there any evidence that the Defendants, when they  
15 left, expected -- or it seemed like they expected to be gone  
16 for a long time?

17 A. Well, they did pack a lot of their belongings with them,  
18 and Hujrah disenrolled her child from school, saying there was  
19 a family emergency and that her child would not be returning to  
20 school, as well as bringing a box truck of items and at least  
21 two other vehicles.

22 Q. And to be clear, was the -- how did Abdul-Ghani get to  
23 Alabama, in whose car? Or who in the car was along with  
24 Abdul-Ghani?

25 A. Jany Leveille, Siraj Wahhaj, and her other children in a

1 Ford Explorer.

2 Q. And why did they choose to go to Alabama?

3 A. Siraj Wahhaj had property there in Tuskegee, Alabama, or  
4 outside of Tuskegee, Alabama.

5 Q. And who else was already -- or who else was in Alabama?

6 A. I believe through witness statements that Lucas Morton and  
7 Subhanah Wahhaj had already departed and were there.

8 Q. Can you still see the screen?

9 A. Yep.

10 Q. I'm pulling up what has been admitted as Exhibit 21.

11 MR. RAY: Will you go ahead and give the Bates for  
12 it, as well, when you pull these up?

13 MR. HALL: Sure. This one is 23531.

14 BY MR. HALL:

15 Q. Do you recognize what this is?

16 A. I do.

17 Q. And can you describe generally what the document is?

18 A. NYPD tracking online activity of the group and  
19 communications they were having publicly with maybe a family  
20 that was in Georgia and New York.

21 Q. And do you know generally when this was put together?

22 A. It appears to be August 13, 2018.

23 Q. Is that before or after the Defendants were arrested?

24 A. After.

25 Q. So scrolling down to the second page here, there's a

1 bullet point that says: "On December 5th, Hujrah tells her  
2 daughter's school that her daughter would not be returning to  
3 school because of a family emergency." Is that what you were  
4 referencing earlier?

5 A. Yes.

6 Q. Scrolling down to Page 8, it says: "Also on December 5,  
7 2017, Neemah Rashid created her Facebook profile and wrote in  
8 her bio, 'This page was created to help find Abdul-Ghani.'"

9 who is Neemah Rashid?

10 A. The wife of Muhammad wahhaj, who is the brother of Siraj  
11 wahhaj.

12 Q. So the sister-in-law of Siraj wahhaj?

13 A. Yes.

14 Q. And also Subhanah and Hujrah wahhaj?

15 A. Yes.

16 Q. Now, here on Page 10, there's a yellow box around an entry  
17 up from January 7th, 2018. Are these, some of the statements  
18 in there, what you referenced earlier in terms of some of the  
19 Defendants making responses to online entreaties to bring  
20 Abdul-Ghani back and rejecting them?

21 A. Yes.

22 Q. Some of it, at least?

23 A. Yes.

24 Q. And similarly here where it says January 8th, it notes  
25 that Subhanah has blocked all the family, including Balkis.

1 who is Balkis?

2 A. Balkis is another wife of Siraj Latif Wahhaj.

3 Q. And is she the mother of any of the Defendants?

4 A. Yes.

5 Q. Do you know -- if you don't know, it's all right, but do  
6 you know who?

7 A. Siraj Wahhaj. I don't recall if she's the biological  
8 mother of the others.

9 Q. So around the time that some of these -- we're talking  
10 about the Facebook page being created on December 5th about  
11 Abdul-Ghani, the page that said this was created to help find  
12 Abdul-Ghani. Are you aware of whether there was also local law  
13 enforcement involved in looking for Abdul-Ghani in Georgia?

14 A. Yes.

15 Q. And I think you mentioned this earlier, but which agency?

16 A. Clayton County Police Department.

17 Q. What steps are you aware of them taking to find  
18 Abdul-Ghani around this time?

19 A. They went to the house to speak to Siraj. They also, I  
20 believe in late December, spoke to Lucas Morton when he was  
21 delivering a letter to Muhammad Wahhaj, and asked about the  
22 whereabouts of Abdul-Ghani. And then they continued to work  
23 with the Taos County Sheriff's Office to try to locate  
24 Abdul-Ghani in New Mexico.

25 Q. And you mentioned earlier something about having to go to

1 the courts, or to get the courts involved. Do you know if that  
2 happened?

3 A. Yes, it did.

4 Q. What happened?

5 A. I forget the legal term for it, but Hakima Ramzi got an  
6 order to have the child returned, and there was a pickup order  
7 for Siraj Wahhaj, as well, I believe.

8 Q. Is it possible that the pickup order was for Abdul-Ghani,  
9 and then an arrest warrant?

10 A. An arrest warrant for Siraj Wahhaj, yes.

11 Q. And general timeframe, do you know when that all happened?

12 A. December 2017.

13 Q. Was there any effort or concern by Hakima Ramzi or any  
14 other family members regarding the -- well, was there any  
15 concern expressed about the safety of Abdul-Ghani at this time?

16 A. Yes. I believe there are statements from Jamilla Jihad  
17 saying that she was concerned because the child needed his  
18 medication, and the same with Hakima Ramzi through interview,  
19 she had the same concerns, as well.

20 Q. And do you know if those concerns were made to the  
21 Defendants, or made known to the Defendants?

22 A. Yes. I believe either publicly or through direct  
23 messages.

24 Q. Were there direct, like, text message communications or  
25 efforts by any family members at this time?

1 A. Yes.

2 Q. Saying basically what you just said --

3 A. Yes.

4 Q. -- about the medication?

5 Did the Defendants -- you mentioned this a little bit, but  
6 did the Defendants respond to these concerns?

7 A. I believe some of them called them lies about Abdul-Ghani,  
8 and then some of them didn't respond to any messages by family.  
9 But there were several that responded saying that the  
10 allegations against them were lies.

11 Q. And was there any evidence that you found during your  
12 investigation that any of the Defendants responded with  
13 something along the lines of, yes, you're right, we should  
14 bring him back, or we should give him his medication?

15 A. There were statements, I think it might have been in  
16 Jany's journal, where Siraj and Jany discussed not returning  
17 Abdul-Ghani because the jinns were not removed from his body  
18 yet, and then when Clayton County Police asked Lucas Morton  
19 about the whereabouts of Abdul-Ghani, he answered in a way that  
20 was evasive or did not answer the question. And, yes.

21 Q. Sure. And we'll get to that event, as well.

22 I guess I'm just asking, was there any evidence to the  
23 counter, in terms of the Defendants expressing agreement that,  
24 oh, we should take him back?

25 A. Not that I can recall.

1 Q. I'm pulling up what is Exhibit 22. Are you able to see  
2 that? That page is 23391.

3 Do you recognize what this document is?

4 A. I do.

5 Q. Can you describe briefly what it is?

6 A. It was an interview of Nina and Jessica Morton, I believe  
7 was their last name. Family of Lucas Morton. I think it's the  
8 mother and sister, I believe.

9 Q. If you go down to Page 3, the highlighted area, can you  
10 describe what is being articulated there?

11 A. Sure. "When Jessica was speaking with Lucas sometime in  
12 approximately November or December of 2017, she told Lucas all  
13 about what blank had said about why Ibn took the boy away from  
14 his mother. Jessica heard Subhanah in the background say that  
15 blank was lying and that Jessica and Nina should not believe  
16 her."

17 Q. And to be clear, who is Ibn in this?

18 A. Siraj wahhaj.

19 Q. So it says November or December 2017. Based on that  
20 timing, can you place where the Defendants may have been,  
21 geographically?

22 A. Depending on the timing exactly in December, it could be  
23 in Georgia, it could be in Alabama. But, yes.

24 Q. Okay. Probably before they were in New Mexico, fair to  
25 say?

1 A. I would say that's a fair assessment.

2 Q. Okay. So is this -- you had mentioned some of these  
3 responses online about calling these things lies. Is this  
4 similar, or is this what you were also referring to in terms of  
5 evidence that the Defendants were, some of the Defendants  
6 were --

7 A. Yes, similar statements.

8 Q. -- keeping the family away, keeping whoever is looking for  
9 Abdul-Ghani away?

10 A. Sure.

11 Q. Okay. So backing up just a little bit, is there a point  
12 where the Defendants left Alabama with Abdul-Ghani?

13 A. Yes.

14 Q. And did you find evidence of a car crash in Alabama?

15 A. Yes.

16 Q. Can you describe, just generally, what happened there?

17 A. Siraj Wahhaj, I believe, was driving a silver Ford  
18 Explorer with Jany Leveille and their children located in the  
19 Ford Explorer. It was late at night, and per Jany's journal, I  
20 believe, it was documented that he maybe had dozed off or  
21 checked an e-mail at that moment, and went off the road,  
22 causing the car to have a pretty severe accident. Several of  
23 the individuals in that car wreck were transported to the  
24 hospital. Farroll --

25 Q. Who's Farroll?



1 A. Farroll is the oldest son of Siraj wahhaj and Jany  
2 Leveille. Farroll, Siraj wahhaj, and it appears, per body cam  
3 footage, that Abdul-Ghani was also there, remained at the car  
4 crash scene while the others were transported to the hospital.

5 Q. Just to be very technical, is Farroll the biological son  
6 of Siraj wahhaj?

7 A. No.

8 Q. Just Jany Leveille?

9 A. Correct.

10 Q. I pulled up on the screen Exhibit 17. Based on the  
11 description of what is in here -- also, that is Bates number  
12 23335 -- are you familiar with what this document is?

13 A. Yes.

14 Q. Can you describe what it is, just very briefly?

15 A. It's a Suspicious Activity Report from Alabama State  
16 Troopers regarding the accident and some of the actions that  
17 were taken post-accident.

18 Q. And then starting on Page 3, there's the name Captain  
19 Stubbs again. So are you able to recognize what this document  
20 is that's entitled Investigative Summary?

21 A. Yes.

22 THE COURT: What was the exhibit number on that,  
23 again?

24 MR. HALL: 17.

25 THE COURT: Thank you.

1 BY MR. HALL:

2 Q. So if we go down to Page 4, can you just kind of describe  
3 what is in the highlighted statements there, the highlighted  
4 area there?

5 A. Sure. So Siraj Wahhaj is speaking to an Alabama State  
6 Trooper, and Wahhaj stated to him that they were traveling from  
7 Georgia to New Mexico to go camping. The Trooper advised that  
8 while he was conducting his crash investigation, he did not see  
9 any camping equipment in the vehicle or any camping equipment  
10 that had been thrown from the vehicle. The Trooper advised  
11 that he did observe several canned food items, cooking spices,  
12 and clothes, but no camping equipment.

13 Q. And I should be clear, based on the first line there, are  
14 you able to tell when this crash happened?

15 A. December 13, 2017.

16 Q. Now, scrolling down to the bottom of Page 4, what kind of  
17 statements are being described here?

18 A. Mr. Wahhaj had stated to the Trooper that they had just  
19 moved to Tuskegee, Alabama. He did not know what their current  
20 address was, only that it was on Shady Road off of U.S. 80.  
21 The Trooper advised that he did some research on Shady Road and  
22 he was unable to locate such address or area.

23 The Trooper advised that Mr. Wahhaj stated to him that he  
24 worked for a company that did executive security and the name  
25 of the company was Omewali St. Jude's Solutions. The Trooper

1 advised he did some research for the company and searched the  
2 e-mail address that Siraj Wahhaj provided, which was the e-mail  
3 that's listed here. The Trooper advised that he was unable to  
4 find the website for that company.

5 The Trooper advised that Mr. Wahhaj provided him with a  
6 phone number that he did not know from memory, because he  
7 stated that he had just gotten a new phone. The phone number  
8 Mr. Wahhaj provided was 334-400-8659. The Trooper advised that  
9 Mr. Wahhaj was in possession of two cell phones that he  
10 observed.

11 Q. So based on the report here and based on just your  
12 understanding of the case and your investigation, what is  
13 significant about these statements? Why would they be  
14 suspicious requiring a Suspicious Activity Report?

15 A. Well, he didn't really disclose the nature of why they  
16 were going to New Mexico, or the reasons maybe that they had  
17 left Georgia or Alabama, and I think the Suspicious Activity  
18 Report was also in relation to his behavior regarding the  
19 firearms that were in the car that the accident occurred in,  
20 and that he would not move away from the vehicle and was very  
21 concerned that those firearms would be taken from him.

22 Q. Kind of what you're describing there, is that what's  
23 encapsulated partially at the bottom of Page 5 in the  
24 highlighted language, that talks about Mr. Wahhaj not wanting  
25 to leave the vehicle?

1 A. would you like me to read it?

2 Q. Sure.

3 A. "Mr. Wahhaj was adamant about not leaving his vehicle.

4 Trooper advised that Mr. Wahhaj's behavior was very peculiar.

5 He advised that Mr. Wahhaj would not let his two male juveniles

6 that were still on the scene sit in his patrol vehicle and it

7 was cold outside. Mr. Wahhaj wanted to be near his vehicle

8 constantly and kept watch over it. Trooper advised that

9 Mr. Wahhaj was in possession of five firearms that he was aware

10 of, which would consist of three rifles and two handguns."

11 Mr. Wahhaj had also stated that he had a couple of rifles in

12 it, and I'm assuming that means the vehicle.

13 Q. Yes.

14 A. "Mr. Wahhaj repeatedly stated that he owned the firearms

15 legally and that he had a permit to carry outside of Georgia.

16 Trooper advised that Ms. Wahhaj continuously was watching over

17 the vehicle and making sure he was close to it at all times.

18 Mr. Wahhaj seemed to be very concerned about his weapons and

19 stated several times that they were his property and that he

20 owned them legally.

21 "Trooper advised that after the wrecker arrived and began

22 loading the vehicle, Mr. Wahhaj began to take his weapons and

23 other gear out of the vehicle. Trooper advised that Mr. Wahhaj

24 became upset. He thought the wrecker driver was going to take

25 his property to the wrecker yard and he would not be able to

1 receive it. Mr. Wahhaj then took a video of him and the  
2 wrecker driver on his cell phone. Trooper advised that  
3 Mr. Wahhaj was very adamant that he was going to take his  
4 weapons and gear."

5 Q. Now, you can stop there for now. Just looking at Page 8,  
6 did the Trooper in Alabama talk to any of the other Defendants  
7 that night?

8 A. Yes. Jany Leveille.

9 Q. And can you describe what the highlighted portion there  
10 says, and what you know about Jany Leveille's response to the  
11 Trooper?

12 A. "Trooper advised that Ms. Leveille stated that they had  
13 not moved to Tuskegee, Alabama, and that they only stayed there  
14 overnight. Trooper stated that Ms. Leveille stated that she  
15 and Mr. Wahhaj were not legally married. Ms. Leveille advised  
16 that they were traveling from Georgia to New Mexico to see  
17 Mr. Wahhaj's brother-in-law."

18 Q. Now, let me scroll back up a little bit before we do that  
19 on Page 7. After the crash, what happened with the Defendants  
20 immediately after, in terms of that --

21 A. So I think the Trooper mentioned in his report that Siraj  
22 Wahhaj was on his phone quite a lot, and soon after, Lucas  
23 Morton showed up in a box truck that was towing a trailer, I  
24 believe, and then they loaded all of the belongings from the  
25 car wreck through the -- what would you call it? The porta

1 through the cab of the box truck. They did not want to open  
2 the rear door of the box truck.

3 Q. And so after that, who else got into the box truck?

4 A. Siraj wahhaj, believed to be Farroll, and Abdul-Ghani got  
5 into the box truck with Lucas Morton and Subhanah's family.

6 Q. And then did anybody else get in the box truck after that?

7 A. I think it's unclear if Hujrah was there in the box truck  
8 at the time, or if she was still in her personal vehicle that  
9 was later found in Tennessee.

10 Q. So at some point, did the Defendants all leave together  
11 from Alabama?

12 A. Yes.

13 Q. And where were they all when they left Alabama? Like, how  
14 did they travel?

15 A. In a caravan, or in the box truck heading west towards New  
16 Mexico.

17 Q. Now, before or around the time that they were leaving, do  
18 you have any evidence who articulated or decided they should  
19 all go from Alabama to New Mexico?

20 A. Yes. So they were in Alabama, per a minor's witness  
21 statement, they were in Alabama for approximately two weeks,  
22 and that it was rainy and very cold. But per Jany's journal or  
23 her book, she described that the land was cursed, and so they  
24 decided from there to, per Jany's direction, go to Lucas  
25 Morton's land in New Mexico.

1 Q. So to be clear, Jany basically decided it?

2 A. Yeah. I think it's unclear if it was two weeks, which  
3 came from a minor, or a few days.

4 Q. Yeah. When is one thing, but ...

5 A. Sure.

6 Q. Was there any evidence at that time, or at any time in  
7 your investigation, that any Defendant made any statement or  
8 any gesture at this point to the effect of, no, let's not go to  
9 New Mexico, or let's go back home to Georgia and return  
10 Abdul-Ghani?

11 A. There's no evidence of that.

12 Q. Now, is there evidence that the Defendants did all arrive  
13 in New Mexico together?

14 A. Yes.

15 Q. And they all arrived in Lucas Morton's white box truck; is  
16 that right?

17 A. From what we know.

18 Q. Do you know approximately when they arrived there?

19 A. December of 2017, maybe mid to late December of 2017.

20 Q. And when they arrived in New Mexico, did the Defendants  
21 continue to keep and conceal Abdul-Ghani from his mother?

22 A. There's no evidence that they told Hakima Ramzi or other  
23 family members where Abdul-Ghani was, or where they were in  
24 particular.

25 Q. Was there any evidence that Abdul-Ghani died at some

1 point?

2 A. Yes.

3 Q. Do you know approximately when?

4 A. Per the book that Jany had written, December 24th is the  
5 date that she had put down as when his death was, and per other  
6 photos that were recovered and digital evidence, it was most  
7 likely before January of 2018, I believe.

8 Q. And who was there when Abdul-Ghani died?

9 A. Per witness statements, Siraj wahhaj was conducting ruqyah  
10 on Abdul-Ghani in the trailer on the compound.

11 Q. Sorry; in the trailer on the compound?

12 A. Where all the other, Subhanah wahhaj -- where all the  
13 other Defendants and their families were staying.

14 Q. And do you know from your investigation what the  
15 Defendants' reaction was to Abdul-Ghani's death?

16 A. I believe Subhanah and Hujrah were both told by Jany about  
17 what had happened, and one went back to doing laundry and the  
18 other kind of smirked and went about doing their chores, per  
19 what Jany Leveille had documented in her book. And I think  
20 Jany also had conversations with her brother, Yusuf Saber, in  
21 Haiti that nobody was sad, because he died while the Qur'an was  
22 being recited on him.

23 Q. Did anyone seek medical attention when it was happening?

24 A. No.

25 Q. Did anyone call 911?



1 A. No.

2 Q. Did any of them -- did any of the Defendants do anything  
3 to advise his mother, or any other family or friends in Atlanta  
4 or elsewhere, that Abdul-Ghani had died?

5 A. No.

6 Q. What did the Defendants do with Abdul-Ghani's body when he  
7 died?

8 A. They, I believe, left him in the trailer for a period of  
9 time, to observe him, and then he was stored underneath -- in a  
10 lot of camper trailers, they have a bed in the bedroom that  
11 lifts up where there's storage, and I believe he was stored  
12 there for a period of time, as well.

13 Per witness statements, he began to smell, and so they  
14 wrapped him -- they washed him and wrapped him in a tarp, and  
15 put him inside of a cave that they had -- so there's about a  
16 100-foot tunnel that was dug adjacent to the trailer, and  
17 within that tunnel there was a cave that was dug out in which  
18 they stored the body, because it was cooler, to kind of keep it  
19 from decomposing.

20 Q. The tunnel that you mentioned, was that naturally formed,  
21 or how did that come to exist?

22 A. No. Lucas Morton and Farroll and I believe Jamil were  
23 responsible for digging that tunnel, which had at least, if I  
24 can recall, two compartments. One was like a refrigerator  
25 storage area, and one was a compartment in which Abdul-Ghani

1 was stored.

2 Q. And you mentioned Jamil. Who is Jamil?

3 A. Jamil is the second oldest boy of Jany Leveille and his  
4 biological father, Michael Louis-Jacques.

5 Q. So after Abdul-Ghani died, how long did the Defendants  
6 keep his body with them, either in the trailer or in the  
7 tunnel?

8 A. Until the body was discovered on August 6th, 2018.

9 Q. While the Defendants were in New Mexico, did you find  
10 evidence of any Defendant ever leaving the compound to go speak  
11 to anyone on the outside?

12 A. In late December, I believe December 31, 2017, Lucas  
13 Morton delivered a handwritten letter by Jany Leveille to  
14 Muhammad Wahhaj in Georgia.

15 Q. And we will come back to the contents of that letter in a  
16 bit, but while Lucas Morton was in Georgia, did he have any  
17 encounters with law enforcement?

18 A. Yes.

19 Q. And which law enforcement agencies or persons, if you  
20 know?

21 A. I believe it was Clayton County PD.

22 Q. I'm opening up, or pulling up what is Exhibit 23. It's  
23 starting with Bates 22613 on your screen.

24 A. Yep.

25 Q. So again here you see the names Detective Porter and Scott

1 Stubbs. Are they the same Clayton County Police Department  
2 detectives who were investigating the Abdul-Ghani kidnapping?

3 A. Yes.

4 Q. So do you recognize what this document entitled  
5 Investigative Summary to be?

6 A. Yes.

7 Q. What is it? Describe for us what it is.

8 A. It's a summary of the conversation that Captain Stubbs had  
9 with Lucas Morton regarding the whereabouts of Abdul-Ghani.

10 Q. And can you articulate or summarize, or if you feel more  
11 comfortable reading the highlighted part, however you feel, but  
12 what was the nature of the conversation between Lucas Morton  
13 and Captain Stubbs?

14 A. It was questioning regarding the whereabouts of  
15 Abdul-Ghani, but I'll read it for the Court.

16 "Captain Stubbs placed Lucas Morton on the phone. I asked  
17 Morton where Siraj Ibn Wahhaj and Abdul-Ghani Wahhaj were, at  
18 which time he stated, 'I don't know.' I then informed Morton  
19 that I know he picked the family up from the accident scene in  
20 Alabama. I asked Morton where he took the family, to which he  
21 stated, 'I don't remember.' I then advised Morton that the  
22 family told police that they were going to New Mexico for a  
23 camping trip. I informed him of the fact that I know that he  
24 had his mail forwarded to New Mexico. Finally I advised Morton  
25 that if I find that he had concealed the location, or assisted

1 Siraj Ibn wahhaj in any way that interferes with my  
2 investigation, I will charge him locally as well as federally,  
3 if applicable. Morton simply responded, 'Okay.'

4 "Captain Stubbs later advised that Morton refused to give  
5 him an address or phone number. Captain Stubbs also advised  
6 that he intercepted a letter that was intended to be delivered  
7 by an individual by the name of Muhammad wahhaj, brother of  
8 Siraj wahhaj, believed to be written by Jany Leveille."

9 Q. And then if we scroll down to Page 3, this is a report  
10 by -- can you tell just from the entry there?

11 A. Yes. December 31, 2018.

12 Q. And is this from the Clayton County Police Department  
13 Detective Stubbs?

14 A. Yes.

15 Q. So I think you mentioned earlier that the first report was  
16 documenting a phone conversation between the law enforcement  
17 officer and Lucas Morton. How about this one? Do you  
18 understand -- or can you describe what's happening in this one?

19 A. It appears that Clayton County PD had made physical  
20 contact with Lucas Morton and they're advising him why they  
21 were questioning him about the disappearance of Siraj Ibn  
22 wahhaj and Abdul-Ghani wahhaj.

23 "Lucas Morton showed no reaction other than continuing to  
24 look at me. I then asked Mr. Morton if he knew the whereabouts  
25 of either person. He advised, no, he did not. I then advised

1 Mr. Morton that I had information that he had picked up Siraj  
2 Ibn Wahhaj and Abdul-Ghani and other parties on December 13,  
3 2017, after being involved in an accident. I then asked him  
4 where they were at. Morton advised that he did not know.

5 "I advised Mr. Morton that Abdul-Ghani was missing and he  
6 had a pickup order to appear before the courts, and I needed to  
7 know where he was at. I then asked Mr. Morton for his phone  
8 number so I could get in touch with him if he had any further  
9 questions. Morton advised, no, he did not want to give me his  
10 phone number. I then gave Morton my phone number along with my  
11 cell phone on it, for him to contact me should he learn the  
12 location of Siraj Ibn Wahhaj or Abdul-Ghani Wahhaj. Morton  
13 took my card and he then was released from the location."

14 Q. So to just sort of distill this down in plain terms, is  
15 this before or after Abdul-Ghani had been taken away?

16 A. After.

17 Q. Is this before or after Abdul-Ghani had died, based on  
18 what you know?

19 A. Based off what we know in the journal, it would have been  
20 after.

21 Q. Based on the contents of the letter that Lucas Morton  
22 provided, does it also help you to understand whether  
23 Abdul-Ghani had died already?

24 A. Yes, because the letter refers to Isa coming back in  
25 approximately four months. Isa is the Islamic word for Jesus,

1 and per Jany's book, as well as witness statements from other  
2 individuals, Abdul-Ghani was reportedly to be Isa and would be  
3 resurrected as Isa.

4 Q. So based on your understanding of the facts at this point  
5 and your entire understanding of the investigation, were Lucas  
6 Morton's statements that he did not know where John Doe or  
7 Abdul-Ghani was true or false at this point?

8 A. False.

9 Q. And in your training and experience, and in terms of this  
10 case, why would Lucas Morton give false statements to the  
11 police officers?

12 A. He knew that Abdul-Ghani was being sought, and he was  
13 advised by Clayton County PD that there was a pickup order for  
14 Abdul-Ghani wahhaj, and knowing if they -- he knew that they  
15 were being sought after, and by not telling where they were was  
16 concealing the nature of where Abdul-Ghani was or what had  
17 happened to him.

18 Q. Just fast-forwarding a little bit, were there any other  
19 occasions where Lucas Morton had interactions with law  
20 enforcement prior to the Defendants arrests?

21 A. Yes.

22 Q. On or around June 30, 2018? Sound right to you?

23 A. Yes.

24 Q. Do you know -- can you describe what happened on that  
25 occasion?

1 A. I believe it was New Mexico State Police that had gone  
2 onto the property on Castillo Meadows in Amalia and was  
3 speaking to Lucas Morton regarding the property dispute between  
4 Jason Badger and Lucas Morton, and Lucas Morton was asked by, I  
5 believe, a State Trooper or State Police Officer if they were  
6 the only ones staying at the property, and Lucas Morton stated  
7 that only him and his family with Subhanah Wahhaj were on the  
8 property.

9 Q. Was that true, that only him and Subhanah and his kids  
10 were living at the property?

11 A. No.

12 Q. Who else was living there at the time?

13 A. Jany Leveille, Hujrah Wahhaj, Siraj Wahhaj, and their  
14 minor children.

15 Q. And was Abdul-Ghani still -- his body still at the  
16 compound at that point?

17 A. Correct.

18 Q. In your training and experience, is it the same reasons  
19 why Lucas Morton gave false answers as when he was in Georgia?

20 A. Yes. And I think around this time, as well, per Jany's  
21 book, they believed that the FBI was looking for them, as well.  
22 I believe in her book towards this timeframe, I can't be  
23 exactly sure, they believed the FBI was looking for them, so  
24 Siraj Wahhaj and Jany Leveille would not come above ground.  
25 The trailer was partially buried and covered by a tarp, and

1 they would not come above ground so as to not be spotted.

2 Q. Was there any evidence on this occasion in this  
3 interaction of Lucas Morton's demeanor and behavior in terms of  
4 whether the police officer could come onto the property or not?

5 A. I believe he told the police officer he could not enter  
6 the property.

7 Q. Just for the Court -- well, how do we know about Lucas  
8 Morton's statements? Where were those captured?

9 A. I believe there was an audio recording device on the  
10 police officer, and then they had a camera on the dashboard of  
11 the patrol vehicle.

12 MR. HALL: And we're not going to bring up those up,  
13 but for the Court's awareness, those are Exhibits 33 and 34.

14 BY MR. HALL:

15 Q. So when did law enforcement finally actually find and then  
16 search the Defendants' compound, enter the compound?

17 A. On August 3rd, 2018, Taos County and New Mexico State  
18 OSI officers or agents entered the property and conducted a  
19 search and I believe an arrest warrant, where they arrested  
20 Siraj Wahhaj and Lucas Morton.

21 Q. Leading up to that day on August 3rd, had there been any  
22 statements that you were aware of, or any evidence that would  
23 suggest that any of the Defendants had attempted to return  
24 Abdul-Ghani, or tell anyone where he was?

25 A. There's no evidence of that.



1 Q. Did the law enforcement find Abdul-Ghani on August 3rd?

2 A. No.

3 Q. Were any of the Defendants arrested on that day?

4 A. I believe Siraj and Lucas Morton were.

5 Q. So if that's the case, then three of the Defendants were  
6 not arrested; is that correct?

7 A. Correct.

8 Q. At that time on August 3rd, did any of the Defendants  
9 tell any law enforcement person where Abdul-Ghani's body was?

10 A. No. Several of the Defendants on that day to either the  
11 FBI and myself, or to local police and I believe it was CYFD,  
12 stated that the last time -- generally stated that the last  
13 time they saw Abdul-Ghani was in Georgia.

14 Q. And is that true or false, that statement.

15 A. That's false.

16 Q. At the time, was there any evidence in your investigation  
17 that the Defendants had instructed others not to talk about  
18 where Abdul-Ghani was?

19 A. Per interviews of the minor children, they were instructed  
20 to not talk to police about Abdul-Ghani or they would all go to  
21 jail.

22 Q. I'm bringing up what is Exhibit 27c, and the Bates is  
23 23720. On Page 2, can you read -- or just describe what's  
24 happening in this highlighted portion.

25 A. Sure. "I inquired whether there were more children in the

1 area, and she told me, 'Yes.' I asked how many there were and  
2 where they were located. That's when an unidentified Black man  
3 began to yell at her to stay quiet. This man was peeking from  
4 beyond the fortifying walls where he was in custody of deputies  
5 and agents on the scene. Sheriff Jerry Hogrefe was with  
6 deputies and agents and directed one of the deputies to escort  
7 the aforementioned male to a patrol car as he was yelling and  
8 causing a disruption."

9 Q. And based on what you know about what happened that day  
10 and where the different Defendants were, are you able to  
11 identify or understand who the unidentified man was?

12 A. I believe that to be Siraj wahhaj.

13 Q. And where it says here that he was yelling at her to stay  
14 quiet, do you know who "her" was?

15 A. Based on the way it's written and where individuals were  
16 arrested on the compound, it is likely to be Subhanah wahhaj.

17 Q. Could it have been one of the children?

18 A. It could have been.

19 Q. Do you see where it says here, "Communicated with one of  
20 the female children who apparently was the oldest."

21 A. There's three female children who were all approximately  
22 eight years old at the time.

23 Q. So is this the additional evidence that you were  
24 referencing about the Defendants instructing others not to say  
25 anything about Abdul-Ghani?

1 A. This is in addition to statements that were obtained from  
2 the children later by the FBI.

3 THE COURT: And I missed this exhibit number.

4 MR. HALL: Yes, Your Honor. 27c.

5 THE COURT: 27c, thank you.

6 BY MR. HALL:

7 Q. So between August 3rd and August 6th, was Abdul-Ghani  
8 found?

9 A. On August 6th.

10 Q. On August 6th? Before then not?

11 A. No.

12 Q. At that time, did the three female Defendants who had not  
13 yet been arrested, and I think you mentioned this, but just to  
14 be clear, did they make any statements about the location of  
15 where Abdul-Ghani was?

16 A. No. They -- well, yes. They were questioned by the FBI,  
17 to include myself, as well as local CYFD and I believe police,  
18 and they mentioned through various different statements that  
19 they had not seen him since last Eid celebration, or the last  
20 time they saw him was in Georgia.

21 Q. What is significant to you about the collective refusal to  
22 say where Abdul-Ghani was?

23 A. That they were obfuscating where Abdul-Ghani was, and the  
24 last time that they saw him, they all had similar statements  
25 regarding the whereabouts of Abdul-Ghani.

1 Q. And so where was Abdul-Ghani ultimately found?

2 A. In a cave that was located in a tunnel that was adjacent  
3 to the trailer on the compound in Amalia, New Mexico.

4 Q. So I think we'll transition, start to transition into two  
5 of the other conspiracies now. This last question sort of  
6 starts that transition, and so I just want to ask you, apart  
7 from I think what would be a logical understanding of avoiding  
8 detection or not getting in trouble, was there any other reason  
9 why the Defendants who were not yet arrested -- so the three  
10 female Defendants -- would want to prolong Abdul-Ghani's  
11 concealment and not being found?

12 A. Sure. Per Jany's book and statements from the children,  
13 that Abdul-Ghani would be resurrected as Isa -- Jesus -- and  
14 once he was resurrected, he would go to corrupt institutions,  
15 those institutions being the education system, the banking  
16 system, law enforcement, military, FBI and CIA, and change  
17 those institutions, or try to convert those institutions, by  
18 ways of Jany, Isa -- or Abdul-Ghani -- Siraj and Farroll going  
19 to these institutions and, in essence, trying to get them to  
20 convert to their ideology, and if they did not convert, they  
21 would be executed or captured.

22 Q. So --

23 A. So to answer your question, at that time from August 3rd  
24 to August 6th, I believe Jany had mentioned in one of her  
25 books, or maybe it was a message to her brother, that he would

1 be resurrected in August of 2018, and so the potential or the  
2 possibility was that they were thinking that that could occur.

3 Q. So what you're saying is at that time in August, up to  
4 August 6th, there was still -- is it fair to say that there was  
5 still a belief by the Defendants that this event, this massive  
6 event, was potentially imminent?

7 A. Yes.

8 Q. And obviously in your investigation, the body of  
9 Abdul-Ghani, himself, would need to be not found in order for  
10 that to happen. Is that what you've kind of come to conclude,  
11 or not?

12 A. Possibly.

13 Q. Possibly, all right.

14 So let's move on to the other conspiracies that you had  
15 mentioned earlier and investigated. We'll just call these the  
16 2339(a) and the 1117 conspiracies.

17 A. Sure.

18 Q. Can you describe, just generally, what your understanding  
19 of the terms material support, or the term material support,  
20 means in the 2339(a) statute? What kind of things?

21 A. Sure. Providing financial aid, expertise, advising,  
22 housing, logistics to a group.

23 Q. Does providing personnel?

24 A. Personnel, yes.

25 Q. Does personnel include providing yourself?

1 A. Yes.

2 Q. Now, did you find in your investigation any evidence that  
3 indicated the existence of an agreement by the Defendants to  
4 provide some of those things you just mentioned, some of those  
5 material support things, to prepare for the killing or  
6 attempted killing of federal officers?

7 A. Yes.

8 Q. Did you find evidence of an agreement by at least some of  
9 the Defendants, and others not charged at the compound, to  
10 murder federal officers or employees?

11 A. I'm sorry, can you repeat that question?

12 Q. Yes. Did you find evidence of an agreement between some  
13 of the Defendants and potentially others at the compound to  
14 murder federal officers and employees?

15 A. Yes.

16 Q. So let's talk about some of that evidence. I'm not going  
17 to go through the whole story again. You've laid out a lot of  
18 the kind of time-line. But you mentioned earlier that Lucas  
19 Morton picked up all the Defendants and their children in  
20 Alabama after the car crash, in addition to having Subhanah and  
21 their children with him, right?

22 A. Yes.

23 Q. Was there anything about that event -- you mentioned this,  
24 I think, but was there anything about that event that was also  
25 significant not only to the kidnapping conspiracy, but also to

1 the 2339(a) and 1117 conspiracies, in terms of items that were  
2 found?

3 A. There were several weapons that were found and transported  
4 from one vehicle to Lucas Morton's vehicle, and in particular,  
5 through the cab of the box truck so as to not open the rear  
6 door of the box truck.

7 Q. Was there anything besides just firearms?

8 A. Ammunition.

9 Q. And any other --

10 A. I think the State Trooper had listed that there was body  
11 armor. Per what we found in the search warrant, it appeared to  
12 be chest rigs, things that you carry magazines in for use in a  
13 -- for carrying magazines around.

14 Q. And you mentioned this just a minute ago, but how did  
15 Abdul-Ghani play a role in these conspiracies? What was his  
16 role?

17 A. His role was to be Isa and he would be the messenger,  
18 along with Jany, and they would go to these corrupt  
19 institutions. Siraj was supposed to be a protector or  
20 enforcer, along with Farroll, and Jamil also was taught in  
21 defensive and offensive tactics while being at the compound.

22 So his role would be to go to these institutions and try  
23 to convert these -- deliver the message to these institutions.

24 And if they did not believe or tried to hurt Jany or Siraj,  
25 that a signal would be given by Siraj, either one or two being

1 the signal -- I think it was unclear per the witness statements  
2 whether two was trouble, or one -- and that Farroll and Siraj  
3 would then enter into a combat or tactical plan.

4 Q. Now, just getting back to Abdul-Ghani, specifically, and  
5 also kind of the description of the agreement or the  
6 conspiracy, was that described anywhere in any of the evidence  
7 that you found, in writings or anything?

8 A. It was in Jany's writings, as well as it came from witness  
9 statements from the minors, as well.

10 Q. And what writings particularly are you thinking of?

11 A. She has a book, a three-part book.

12 Q. And what kind of things did the book provide or say?

13 A. It had an ideological belief. It had a system of how one  
14 would discipline, how discipline would be carried out. It had  
15 kind of an historical event of how they came to New Mexico and  
16 the reasons of them being there. The roles that defined each  
17 defendant, and future roles, I believe, for other individuals  
18 that were not located at the property.

19 Q. Exhibit 4, Bates Number 1157, scrolling all the way down,  
20 on Page -- I guess I would say 97 of the exhibit.

21 A. Yes.

22 Q. Do you see this on the screen?

23 A. Yes.

24 Q. Can you just describe what this list, or these names kind  
25 of correspond to?



1 A. It has names of some of the Defendants, as well as the  
2 brother of Jany Leveille, and assigns them titles that are  
3 known in Biblical texts.

4 Q. And what's the purpose, as far as you read through -- from  
5 your familiarity with the book, what's the purpose of listing  
6 these names?

7 A. It gives them a title, and I think later on in the book,  
8 it gives them roles, who was assigned to doing what on the  
9 compound, or in the future objectives that the group had.

10 Q. Did you find evidence in your investigation that the  
11 Defendants kind of adopted or agreed with or took to these  
12 roles or these historical titles given to them?

13 A. Per the titles given to them and the statements from  
14 witnesses and the book, it would seem to align with the roles  
15 that they were given.

16 Q. And they accepted those? I guess that's what I was  
17 asking.

18 A. It would seem so.

19 Q. Now, on Page 99, the top of the page there, can you just  
20 read the first three lines, that first paragraph?

21 A. First paragraph, two sentences?

22 Q. Yes.

23 A. "The following is a list of laws that were sent by Allah.  
24 Please do your best to follow with humility and implement what  
25 we experienced in order to facilitate a smoother journey."

1 Q. And then if we go down to Pages 101 and 202, there appears  
2 to be like a break in the book.

3 A. Sure.

4 Q. Can you describe what the break is and what the next,  
5 like, following section is about?

6 A. It's moving to a section regarding how married couples  
7 relationship should be.

8 Q. Now, how would you characterize these final parts of the  
9 book? would it be fair to say that there's rules to follow? I  
10 mean, you just said there's rules, but is that your  
11 understanding in the whole book --

12 A. Yes.

13 Q. -- that that's the purpose of these? Is it fair to say  
14 it's guidance to followers?

15 A. Yes.

16 Q. Did you find any evidence that the others, the others at  
17 the compound, including the Defendants, knew about this book?

18 A. There's several statements from witnesses of the minors  
19 that they either read the book or had the book read to them,  
20 and that the individuals, the Defendants, followed the roles  
21 that were prescribed in the book and some of the commandments  
22 that were given, such as the discipline part regarding when  
23 Subhanah wahhaj attempted to leave and the discipline that  
24 occurred. Did I answer your question?

25 Q. Yes, I think so. Was there any evidence that you

1 uncovered in your investigation that any Defendant expressed  
2 disavowment or disagreement with the book, or with the idea of  
3 Jany as the leader and the prophet?

4 A. I don't believe there's any evidence that there was  
5 disagreement with the book or the roles, or Jany's role in the  
6 compound.

7 Q. And I guess we've kind of said this already, but is there  
8 evidence suggesting basically the opposite?

9 A. Yes.

10 Q. Is there evidence that others helped Jany write or  
11 complete this book?

12 A. Yes.

13 Q. What evidence is that?

14 A. I believe there's witness testimony, or witness statements  
15 saying that Hujrah and Subhanah wahhaj helped either edit or  
16 write the book.

17 Q. And who is Von -- Yusuf Saber, or Von? Is it the same  
18 person?

19 A. Yes.

20 Q. And who is that person?

21 A. The brother of Jany Leveille who lives in Haiti.

22 Q. Is there any evidence that you uncovered that he was  
23 participating in or a part of the Defendants' group or  
24 agreements that you were investigating?

25 A. He was in communication throughout their time in New

1 Mexico with Jany Leveille. He also had communication with  
2 another witness named Anas White, in which he referred to the  
3 group oftentimes as "we," meaning the other Defendants and  
4 himself. And Jany had asked him, or suggested to him or asked  
5 that he write the book -- or translate the book in Haitian, as  
6 well.

7 Q. Okay. We'll get to that.

8 A. And he also provided, I think, a propane grill, or stated  
9 that he was going to provide a propane grill.

10 Q. Okay, so provided the physical grill. What other role  
11 would you describe him as playing in the group? What function  
12 did he have, or what were his conversations like with Jany  
13 Leveille?

14 A. They had several WhatsApp communications where she  
15 described different things that were occurring at the compound.  
16 You know, finding diamonds, and the condition in which  
17 Abdul-Ghani was at, why he was deceased, and describing to him  
18 that those were miracles. And oftentimes he would be in  
19 agreement that they are signs of miracles.

20 Q. Was there any evidence that Von, or Yusuf, was providing  
21 updates on ongoing investigations following the group?

22 A. Yes. I think he mentioned at one point that the FBI was  
23 looking for them. It might have been more general, as law  
24 enforcement, but that they were being sought after.

25 Q. So I have pulled up, I think you're able to see it,

1 Exhibit 10. Are you able to see that extraction report?

2 A. Yes.

3 Q. Do you know what this document is and where it came from?

4 A. It's an extraction report coming from electronic devices  
5 that were found during the search of the compound.

6 Q. I guess the first --

7 A. The first part is Facebook Messenger, but I believe it  
8 transitions to WhatsApp.

9 MR. HALL: I think I'll have to get you the Bates  
10 numbers. There's a Bates number version.

11 BY MR. HALL:

12 Q. So if we look at Page 146, the highlighted area there, can  
13 you describe generally what's going on?

14 A. It's a conversation with Yusuf, and believed to be with  
15 Jany Leveille. "They're keeping track of you guys. I decided  
16 to do some research and they know ya'll are going to New  
17 Mexico. They know Lugmon license plate when he pick ya'll up  
18 from an accident in Alabama. The article was published  
19 December 22, 2017, so the mother and everyone else know where  
20 ya'll are."

21 Q. Is this an example of what you were talking about in terms  
22 of providing updates on the investigation of the rest of the  
23 Defendants?

24 A. Yes.

25 Q. Just generally in your understanding and your

1 investigation of these messages from Von, did Von message, as  
2 far as you're aware, anybody else at the compound?

3 A. Not that I'm aware of.

4 Q. Now, we'll go to Page 232. You mentioned this earlier,  
5 but is this what you were talking about where Jany was  
6 directing Von to translate her book for Haitians?

7 A. Yes.

8 Q. In your training and experience, is this something that  
9 someone would ask for for a private journal that they want to  
10 be kept private?

11 A. No.

12 Q. And what is she actually seeking for this book?

13 A. Translations and potentially distribution.

14 Q. And then if we go to Page 160, based on the date of these  
15 messages, can you surmise what is happening with the  
16 Defendants?

17 A. Sure. This appears to be post-arrest. Jany is being  
18 asked, "How are they doing?" And if the kids spilled  
19 something. I think that's not a reference to liquid being  
20 spilled, I think that's a reference to what was occurring in  
21 the compound. And the response was, "I don't know."

22 Q. At this time, was Jany Leveille -- had she been arrested  
23 on August 3rd?

24 A. No.

25 Q. And I don't know if you said this, but where were the

1 three women between August 3rd and August 6th?

2 A. On August 3rd, they were interviewed by us, as well as  
3 others at CYFD, and I think they were transported to a women's  
4 shelter, and I believe they stayed there for approximately  
5 three days.

6 Q. So when Von was asking if the kids spilled something, this  
7 is after two of the Defendants had been arrested; is that  
8 right?

9 A. Correct.

10 Q. And the kids, what happened to the kids at that point?

11 A. They were placed by CYFD with different foster parents.

12 Q. Now, you had mentioned earlier about Lucas Morton's  
13 appearance in Atlanta on December 31, 2017.

14 A. Yes.

15 Q. And you mentioned that he delivered a letter. I'm  
16 opening, or bringing up Exhibit 6. Do you recognize what this  
17 is?

18 A. Yes.

19 Q. What is this?

20 A. A letter to Muhammad written by Jany Leveille.

21 Q. And is this the letter that you were saying was being  
22 delivered to Muhammad wahhaj?

23 A. Yes.

24 Q. And can you just remind us who Muhammad wahhaj is?

25 A. Brother of Siraj Ibn wahhaj, and Subhanah and Hujrah

1 wahhaj.

2 Q. Now, we go down to Page 2 of the letter. Does it indicate  
3 that -- well, here it says: "We told you to leave and follow  
4 what Brother Luqmon is telling you." Who's Brother Luqmon?

5 A. That's believed to be Lucas Morton.

6 Q. So this letter is contemplating -- is this letter  
7 contemplating that Lucas Morton would be doing the delivering  
8 of the letter?

9 A. Yes.

10 Q. But it's not believed to be written by Lucas Morton,  
11 right?

12 A. Correct.

13 Q. And how do you know, or what makes you think it was  
14 written by -- well, who do you think it was written by?

15 A. Jany Leveille.

16 Q. And what makes you think that?

17 A. Can you scroll to the bottom? I thought I remember it  
18 maybe having her signature. Or I remember one of the witness  
19 statements from the minors that she had written a letter.

20 Q. Based on the content of what it's describing -- it says,  
21 "Allah says he will protect you always, so follow until he  
22 makes you die as a martyr." What does that mean, generally,  
23 and then in the context of this investigation, to die as a  
24 martyr?

25 A. Dying in the name of God.



1 MR. ELSENHEIMER: Objection. Your Honor, I know the  
2 Rules of Evidence don't apply, but this is pure speculation.  
3 And in terms of establishing the existence of a conspiracy,  
4 they need actual evidence and not just law enforcement  
5 speculation about what something that is a vague religious  
6 reference means in terms of a conspiracy.

7 THE COURT: What's your response?

8 MR. HALL: Your Honor, this is just the evidence, and  
9 I think I can ask the witness about the other facts in the  
10 investigation and whether it provides any context into what  
11 this might mean.

12 THE COURT: Do you want to lay foundation regarding  
13 whether this is just rank speculation on the part of the  
14 witness?

15 MR. HALL: Sure.

16 THE COURT: All right, go ahead.

17 BY MR. HALL:

18 Q. In your investigation, did you have any cause to learn  
19 about terms from the Islamic religion?

20 A. Can you repeat that question?

21 Q. In your investigation, did you have any reason to learn  
22 about terms that were associated with the Islamic religion?

23 A. Well, prior to this event, I worked terrorism in the FBI  
24 for several years, as well as having studied Middle Eastern  
25 studies, as well as taking classes in suicide terrorism, in

1 particular. And then there's other contexts where Jany had  
2 mentioned previously, while they were in Georgia, that Lucas  
3 Morton and Siraj Wahhaj would leave Hujrah's house and go back  
4 to Siraj's house, and that Lucas would die as a martyr. And  
5 per other witness statements, that Siraj Wahhaj and the group  
6 was preparing for jihad, and jihad meant creating a jihad army,  
7 which is another term that can have different meanings, but  
8 definitely in the context, you can interpret what that  
9 particular meaning is.

10 And so to relay why I said what I said, I think it's  
11 related to other evidence that has been investigated in the  
12 case, as to why I gave that context.

13 THE COURT: The objection is overruled.

14 MR. HALL: Thank you, Your Honor.

15 BY MR. HALL:

16 Q. I'll just ask you, as you're talking about the  
17 investigation of this case, you had mentioned what the  
18 conspiracy or what the plan was going to be once Isa woke up.  
19 Is there any reference in this letter to Isa and that plan?

20 A. Yes.

21 Q. Do you see it referenced in there, kind of in the middle?

22 A. Yes. "You will meet Isa also here in about four months in  
23 sha Allah. So hurry, do not drag your feet, leave whatever.  
24 we told you to leave and follow what Brother Luqmon is telling  
25 you. Take all your money out of the bank and bring your guns.

1 And whatever you say to your dad will be a waste of time right  
2 now and you will put all of us in danger."

3 Q. And right before where you started here, where it says,  
4 "by joining the righteous," who is that? Does it say who the  
5 righteous are?

6 A. Well, in parenthesis next to it, it says, "us."

7 Q. And based on your investigation and the context from where  
8 this letter came from and why it was being written, based on  
9 its own statements, who is "us"?

10 A. I guess given the context and statements from other  
11 witnesses, "us" would be the Defendants in New Mexico.

12 Q. Would you also maybe describe that as, like, the followers  
13 of Jany Leveille?

14 A. Sure.

15 Q. Now, what is significant about this letter in terms of  
16 your investigation of the 2339(a) and the 1117 conspiracies?

17 A. They're looking to bring other people into their group in  
18 order to conduct the conspiracies of 1114 and 1117, and this is  
19 an example of trying to recruit others into their group.

20 Q. Would bringing money and guns to join them, would that  
21 constitute material support as you understand the term?

22 A. Yes.

23 Q. What about bringing himself as personnel?

24 A. Yes, as well.

25 Q. Does the letter offer any, like, direction? I guess you

1 mentioned a little bit here about talking to the dad, but does  
2 it have any other direction about telling others whether or not  
3 this letter should be distributed?

4 A. I believe it was meant to be a private letter.

5 Q. Now, in addition to this, was there any evidence that you  
6 found in your investigation from the compound that would  
7 suggest that the Defendants had agreed to materially support a  
8 plan to kill or attempt to kill a federal officer?

9 A. Can you state the question again?

10 Q. Was there any other evidence you found to support the  
11 2339(a) and 1117 conspiracies --

12 A. Yes.

13 Q. -- from the compound?

14 A. Yes.

15 Q. Was there evidence from the compound of firearms training?

16 A. Yes.

17 Q. Can you describe kind of what that was?

18 A. Per testimony of the minor children, that the children  
19 were being trained in close-quarters combat, speed reloads,  
20 moving and shooting, and for defending the compound from law  
21 enforcement. And then they were asked if this was for  
22 offensive purposes, as well, and they described that they would  
23 then use, in essence, use these tactics when they went to these  
24 corrupt institutions and attempted to convert them utilizing  
25 these tactics, if necessary.

1 Q. You mentioned this earlier, I think, but was there  
2 evidence of the Defendants each having a role in the  
3 conspiracies?

4 A. Yes.

5 Q. And where did that generally come from, that evidence?

6 A. Witness statements, as well as the book that Jany had  
7 written.

8 Q. And what were the various roles that each Defendant was  
9 supposed to play, according to these -- oh, I should ask, was  
10 there anything that came from von, as well, von, the brother,  
11 about roles?

12 A. I can't recall about what Yusuf's statements were  
13 regarding that.

14 Q. We'll get there.

15 The roles, I guess, can you just describe them?

16 A. Siraj was supposed to -- well, he was instructing the  
17 others in how to conduct these maneuvers and tactics. He was  
18 also supposed to protect Jany and Isa when they went to conduct  
19 these conversions of these corrupt institutions. Also, Farroll  
20 was also supposed to be utilized in this purpose. Lucas Morton  
21 did a lot of the training, but per the book, his role was to be  
22 a teacher. And, let's see.

23 Q. Sorry, I may have missed this, but did you mention a role  
24 for Subhanah wahhaj?

25 A. Subhanah wahhaj's role was to take care of the household,

1 cook and clean. Hujrah's was to take care of the compound when  
2 the group left with Isa. Jamil's role was to be a scholar, but  
3 he also did some firearms training and tactics.

4 Q. Was the word supervisor ever used for anyone? For  
5 example, was one of the other Defendants, if you remember,  
6 supposed to be a supervisor?

7 A. Are you referring to, like, Hujrah's role of being the  
8 supervisor of the compound? Yes.

9 Q. I've got pulled up Exhibit 19, and this is actually a  
10 condensed version.

11 MR. HALL: Your Honor, we'll just bring it in as 19a,  
12 because 19, I think, is 5,000 pages long, and there's really  
13 only a small portion --

14 THE COURT: I'm sorry, so this is just a subpart of  
15 Exhibit 19?

16 MR. HALL: Yes, Your Honor. This is Exhibit 19a, and  
17 it's just extracted pages put together from there --

18 THE COURT: Okay.

19 MR. HALL: -- just to try to make this a little less  
20 painful in terms of going through it.

21 THE COURT: I thought maybe around 11:30, we'd go  
22 ahead and take an early lunch, because we've been going about  
23 two hours. Does that work for everyone?

24 MR. HALL: Yes. And Your Honor, I think a great spot  
25 may be around 11:30, maybe a little before. But once we finish

1 in maybe the next ten minutes, there's a point where I'll just  
2 bring the chart up and we'll go through the chart. So that  
3 might be a good place to break. So in 10 to 15 minutes.

4 THE COURT: That sounds good.

5 MR. HALL: Thank you, Your Honor.

6 BY MR. HALL:

7 Q. Are you able to see this extracted Exhibit 19?

8 A. Yes.

9 Q. Now, we talked about these a lot, but are these  
10 highlighted statements -- first of all, what is this? what are  
11 we looking at?

12 A. I believe it's Facebook messages from Subhanah wahhaj.

13 Q. Okay. Now, these highlighted ones are dated on  
14 January 7th of 2018. Are these more or similar to those  
15 statements you had referenced earlier about rejecting the  
16 entreaties to bring Abdul-Ghani back and calling everything  
17 that he was missing lies?

18 A. From what I've read so far, it appears to be similar  
19 statements, yes.

20 Q. Now, is this, based on your investigation, after or before  
21 Abdul-Ghani had died?

22 A. Most likely after.

23 Q. Now, I just want to move down to the last page. Okay, so  
24 on this page, these statements are dated August 2nd, 2018.

25 what was going on with the group at around this time in terms

1 of how they were doing materially?

2 A. Well, the statements here show that they were low on food  
3 and that they were starving, and so there was an ask. I think  
4 it's here where they ask for money for food.

5 Q. Can you see right here, who is -- well, who's LeShelle  
6 Mocniak, if you know?

7 A. The sister of Lucas Morton.

8 Q. So where LeShelle asks, "Is this Luqmon or Subhanah," is  
9 this response right up here responsive to that?

10 A. Yes.

11 Q. And so who was actually using Subhanah's Facebook account  
12 at this point?

13 A. Lucas Morton.

14 Q. And who is Pana?

15 A. That's short for Subhanah.

16 Q. Now, here in the highlighted portion there, what statement  
17 is it that Lucas, using Subhanah's account, says to his sister?

18 A. "Fantastic! Likewise for us. Though we are going through  
19 a major test from God to prepare to face the nation and their  
20 issues."

21 Q. And who is the "we," based on the context and your  
22 understanding of the investigation?

23 A. Given the context of the investigation, I would say the  
24 Defendants, the five Defendants.

25 Q. And you mentioned this before, but this was -- so this was



1 early August before they were detained or arrested. Was there  
2 a belief, in terms of your investigation, that the return of  
3 Isa or the conspiracy to go out was imminent around this time?

4 A. I believe there's statements from I believe Jany to her  
5 brother, Yusuf, that it was in August, or a few days, that it  
6 was going to -- that Isa was going to be resurrected.

7 Q. Okay. And was this a significant -- is there anything  
8 significant about saying that they were going to be facing the  
9 nation and their issues, in terms of your investigation?

10 A. Those statements in the context of going into these  
11 corrupt institutions, a lot of them being Government  
12 institutions, would have a similar relation to their previous  
13 training and statements.

14 Q. Now, shifting just a little from the conspiracy that  
15 you've described, in terms of the corrupt institutions and Isa  
16 and leaving and going out, was there any additional evidence  
17 that you found in your investigation about the Defendants  
18 anticipating that federal officers would come to their  
19 compound?

20 A. Yes.

21 Q. Was there any plan described about what to do if that was  
22 going to happen?

23 A. They had discussed if law enforcement came at night, that  
24 they could shoot law enforcement and that they could get away  
25 with it. They had also staged firearms and ammunition at the

1 end of the tunnel in which they had an escape hatch prebuilt  
2 in, and that per witness statements, the role of that tunnel  
3 and those weapons being staged there was that Siraj and  
4 Farroll, and I believe Lucas was mentioned in that, I'd have to  
5 review my notes, was to use those firearms and weapons to hold  
6 off law enforcement while the rest of the family escaped.

7 Q. Was there any evidence that the Defendants were  
8 anticipating or planning on a war?

9 A. Yes.

10 Q. I think you kind of just touched on this, but were there  
11 roles that the Defendants would have in the war in terms of at  
12 the compound, or what you were just describing?

13 A. In particular, Siraj and Farroll had roles in conducting  
14 combat.

15 Q. Was there any evidence that the other Defendants at the  
16 compound were aware of the plan to shoot federal agents if they  
17 came to the compound?

18 A. I believe there's statements from Jany, her minor witness  
19 statements, suggesting that Jany said to start shooting, to  
20 shoot first, something along those lines. I'd have to review  
21 the transcript to get it verbatim.

22 Q. I'm pulling up what was submitted at Exhibit 27a. Do you  
23 know who -- well, based on what you see here, do you know who  
24 Jason Rael is?

25 A. Yes. I believe he is a Taos county Sheriff's Office

1 deputy.

2 Q. And are you familiar with what this document is, or can  
3 you describe what this document is?

4 A. A narrative, I think, about the search that occurred on  
5 August 6th.

6 MR. HALL: And the Bates is 23787.

7 BY MR. HALL:

8 Q. So if we look at Page 12 here, can you describe what's  
9 being described in the highlighted areas?

10 A. "I advised Morton we had a warrant for his brother out of  
11 the state of Georgia. Morton stated that it had nothing to do  
12 with him. Morton asked to see the search warrant." Do you  
13 want me to continue to the yellow, or read through?

14 Q. You can just go down to the next yellow.

15 A. "At one point while being detained, Morton stated if we  
16 got hurt, it's our fault. Morton also stated, 'You guys think  
17 you're above the law, you guys are all going to get hurt big  
18 time, I promise you.'"

19 Q. And within the context of your investigation and what you  
20 just described about the plan, what is significant about this  
21 statement?

22 A. The group still believed Isa would come back, and Isa,  
23 being Jesus, would have powers. I believe that that's what  
24 this is referring to, is that there's still an event that's  
25 going to occur in regards to what they had previously planned

1 to do in going to these corrupt institutions, being military,  
2 law enforcement, and other Government agencies.

3 Q. Is it also significant to the plan to shoot police  
4 officers if they came to the compound?

5 A. I mean, they're suggesting that these deputies are going  
6 to get hurt, and he's promising that it'll happen.

7 Q. When the officers did come to the compound on  
8 August 3rd, was there any evidence that the Defendants were  
9 actually prepared to carry out their plan to shoot federal  
10 officers?

11 A. Sure. Per Taos County report, they had shown up to the  
12 compound in marked vehicles and tactical equipment, and Lucas  
13 Morton was outside. He began reaching into the passenger side  
14 of the box truck that was parked outside of the compound. He  
15 was detained without incident. During a search incident to  
16 arrest, they found a shotgun behind the passenger seat of the  
17 box truck.

18 They then entered the compound and proceeded to the  
19 trailer. Inside the trailer was Jany Leveille, Siraj Wahhaj,  
20 who had, I believe, six magazines loaded, as well as his AR and  
21 a revolver in his pocket, and there were children holding  
22 ammunition. But the Taos County deputies couldn't be sure what  
23 children were holding the ammunition. And per witness  
24 testimony from -- or witness statements from the minor  
25 children, their plan was to shoot at law enforcement. They

1 don't know why the grown-ups, the Defendants, did not.

2 One child stated that Jany Leveille instructed Siraj  
3 wahhaj to put down his weapon. He placed his weapon by his  
4 side, but did not move away from the weapon, and then  
5 eventually deputies were able to gain control of him, in which  
6 he had a revolver in his pocket.

7 Q. You mentioned multiple children talking about this. In  
8 your investigation, how many of the children that you  
9 interviewed knew about the plan or described the plan in some  
10 way to shoot police officers or law enforcement who came to the  
11 compound?

12 A. I interviewed five children, some of them multiple times,  
13 and I would say all five children had mentioned something along  
14 the lines of preparing for jihad, an army of jihad to conduct a  
15 war. Or more specific, that's what the tactical training was  
16 for. And that I think one of them -- I believe one of the  
17 eight-year-olds also talked about Luqmon, or Lucas Morton,  
18 wanting to die as a martyr, as well.

19 Q. Other than the five children all knowing about this, did  
20 you have any other -- did you ever uncover any other evidence  
21 that the other Defendants also were aware of the plan, in terms  
22 of if law enforcement came to the compound?

23 A. I think Jany had mentioned, or had made statements,  
24 whether it was in her book or it was the minors who had  
25 referenced her statements, saying that they would start

1 shooting if law enforcement came. There was testimony, or  
2 witness statements from the children that the Defendants had  
3 spoke about shooting at law enforcement either if they came at  
4 night, or during an eventual search warrant or arrest warrant,  
5 using the tunnel for that purpose.

6 Q. How big is the compound, the living quarters in the  
7 compound?

8 A. Well, there was a 22-foot trailer buried in the ground  
9 surrounded by different tire structures. There was about a  
10 100-foot tunnel that led from the trailer out towards the edge  
11 of the property, and the tunnel had various compartments in the  
12 tunnel, as well as staged firearms and ammunition.

13 Q. By staged, what do you mean?

14 A. At the end of the tunnel where the escape hatch was, there  
15 was several firearms and ammunition there.

16 Q. And then finally, was there anything else found at the  
17 compound, like written evidence, or written documentation, I  
18 should say, that might indicate the Defendants' intent or plans  
19 regarding a war at the compound?

20 A. There was a notebook, handwritten, by one of the children.  
21 It was believed to be Siraj's handwriting. And it's -- the  
22 title was, "Phases of a Terrorist Attack." And it outlined how  
23 to conduct a terrorist attack.

24 Q. Was there anything in that document, that outline, that  
25 describes like a fallback area, or a place where you would

1 have --

2 A. Yes.

3 Q. How would you describe it?

4 A. A fallback position.

5 Q. Let's move on to the last -- just a few more questions  
6 regarding the gun possession conspiracy. You've already  
7 basically gone through the time-line and provided a lot of  
8 facts, so just to kind of hit the very simple, straight-forward  
9 points on that, was there any evidence in your investigation of  
10 this case that suggested that the Defendants had an agreement  
11 to allow Jany Leveille to possess a firearm?

12 A. Can you repeat that question?

13 Q. Was there any evidence in your investigation that the  
14 Defendants had an agreement to allow Jany Leveille to possess a  
15 firearm?

16 A. Well, Jany was given a firearm in Georgia by Siraj Wahhaj.  
17 She went to a shooting range in Georgia where, I believe per  
18 witness statements, she fired a rented firearm. And then while  
19 on the property in New Mexico, she fired a firearm, as well.

20 Q. Did all of the Defendants participate in firing firearms  
21 at the compound?

22 A. Per witness statements from the minor children, all  
23 Defendants participated in firing a firearm at some point.

24 Q. And was there a point in between Georgia and the firing of  
25 a firearm with the rest of the Defendants by Jany Leveille as

1 constructively possessing, or having the weapon around her?

2 A. There were several firearms being transported in the Ford  
3 Explorer that they crashed in that had Jany Leveille and Siraj  
4 wahhaj and their children in.

5 Q. And based on your investigation, what is your  
6 understanding of Jany Leveille's immigration status throughout  
7 this time period?

8 A. She was out of status.

9 Q. And what does that mean, out of status?

10 A. Not a legal permanent resident, not a citizen, and I  
11 believe her work status had expired around that timeframe.

12 MR. HALL: Your Honor, I almost got it on 11:30 on  
13 the dot, but it just turned to 11:31.

14 THE COURT: Whatever is a good time.

15 MR. HALL: I think that's a good time, and then we'll  
16 start up with the last bit.

17 THE COURT: Then let's plan on resuming at, say,  
18 1:00. All right, we'll be in recess for lunch.

19 (Recess was held at 11:31 A.M.)

20 (In Open Court at 1:06 P.M.)

21 THE COURT: All right, Mr. Hall, I guess we can pick  
22 up where you left off. Go ahead and have a seat.

23 THE WITNESS: Yes, Your Honor.

24

25



1 CONTINUED DIRECT EXAMINATION

2 BY MR. TAVO HALL:

3 Q. Agent Taylor, good afternoon.

4 A. Good afternoon.

5 Q. Before we move into the chart real quick, there were just  
6 a couple of points I wanted to circle back and make sure we  
7 touched on.

8 You had mentioned earlier about the evidence that you'd  
9 seen and the investigation that described some of the roles  
10 within the conspiracies of the Defendants, and you had  
11 mentioned that you weren't sure if you remembered whether there  
12 were other statements or other references to that, or evidence  
13 to that effect. I have on -- actually, Richard, can you pull  
14 up the screen? On the screen should be Exhibit 25a. Do you  
15 see it?

16 A. Yes.

17 Q. Just from the view here, do you recognize what this  
18 exhibit is?

19 A. It appears to be a Facebook Messenger conversation between  
20 Anas White and Yusuf Saber.

21 Q. And where did you obtain, or where did the FBI obtain  
22 these screen shots from?

23 A. There was an interview of Anas White in which Anas White  
24 took screen shots of his conversations with Yusuf Saber.

25 Q. And to be clear, these were -- this conversation happened

1 before or after the Defendants arrests?

2 A. I believe after.

3 Q. That said, what's the nature of the conversation,  
4 generally? what do they talk about?

5 A. The events that occurred on the compound in New Mexico.

6 Q. I'm going to start with Page 93, and can you just either  
7 read or summarize, I guess, the messages that are highlighted  
8 and the two right below it?

9 A. Sure. "So Pana opened Qur'an and she read that Allah has  
10 a task for her until the end. And it was to cook and clean  
11 everyday. Maryam confirmed. 9 months of cleaning and cooking  
12 everyday."

13 "So she had to do it then huh?"

14 Q. And the gray, who is the gray messages? Is that Von  
15 Yusuf, or is that Anas white?

16 A. I believe the gray messages are Von Yusuf.

17 Q. And the Pana, again, who is Pana?

18 A. Subhanah Wahhaj.

19 Q. And Maryam?

20 A. Jany Leveille.

21 Q. So is this another example of what you were describing as  
22 a role for the group of people at the compound?

23 A. Yes.

24 Q. Now, going to Page 66, here again is a highlighted area.

25 Basically, the gist of these messages, can you describe, in

1 terms of what role it describes?

2 A. It is describing how Jany was a teacher, and it starts  
3 off -- or the highlighted portion is: "She was really our  
4 Qur'an teacher."

5 "Why was she the teacher, though, and not Ibn?"

6 "Because they all agreed that her explanation would make  
7 more sense and when she says something would happen, it  
8 actually happened."

9 Q. And the statement where it says, "our Qur'an teacher,"  
10 that's the gray. So is that still Von Yusuf?

11 A. Yes.

12 Q. And then moving to Page 22, the highlighted text there,  
13 can you describe what's happening in these messages?

14 A. It's discussing what had happened to Abdul-Ghani and what  
15 would happen after his death. And it starts off saying: "Then  
16 right away Maryam called me and explained what I just told you,  
17 and she said, 'Everyone is okay, because we know he died while  
18 Ibn was reciting. So no one got sad. And they would wash him  
19 every two to three days. And for about four months, no change  
20 in his body. Ibn and Muhammad would wash him."

21 Q. Who is Muhammad in this context, if you know?

22 A. I believe they're referring to Farroll Louis-Jacques.

23 Q. And is his name actually down farther below a little bit?

24 A. Yes.

25 Q. And then the next highlighted part there, where does it

1 say that Abdul-Ghani was kept, at first at least?

2 A. That he wasn't always in the tunnel, and that he was in  
3 Hujrah's room, as well.

4 Q. And then that last highlighted one, is that similar?

5 A. "Meaning the room Hujrah was sleeping in ... yes. Ghani."

6 Q. And the last question on this, did you uncover or find any  
7 evidence that Von Yusuf, as part of his interactions with the  
8 group and his role and his activities with the group, had an  
9 understanding of the rest of the Defendants' mental state and  
10 view of what they were doing at the compound, and generally?

11 A. I would say that's accurate based off their conversations.

12 Q. If you look at the screen and this highlighted area, can  
13 you read the highlighted text there?

14 A. "They knew they were going to get arrested. They knew  
15 this would be worldwide. They knew that's how they would be  
16 known. They knew people would reject. They knew they would be  
17 in it by themselves, so they were ready. But I am sure they  
18 weren't ready for how it is happening."

19 Q. And is that an example of what you were just describing?

20 A. Yes.

21 Q. Okay. So at this point, I will hand you what has been  
22 marked and provided as Exhibit 35. I believe the Court has  
23 copies of this. We provided them before the break.

24 All right, so I'm going to try to go relatively  
25 efficiently through here, and some of these we won't spend very

1 much time on at all. But just generally speaking, this exhibit  
2 in front of you, can you describe what it is, what it appears  
3 to be, what it looks like?

4 A. Different facts taken from various evidence that has been  
5 collected in the investigation.

6 Q. Okay. So starting on Page 1, where it says, Exhibit 1,  
7 the statements in the center column, where it says,  
8 "Statements," do you know who relayed these statements?

9 A. Farroll Louis-Jacques.

10 Q. And who is that, again?

11 A. The biological son of Jany Leveille and Michael  
12 Louis-Jacques.

13 Q. And was he there at the compound with the Defendants?

14 A. Yes, he was.

15 Q. And what was generally his role as you uncovered in your  
16 investigation?

17 A. He was to assist Siraj Wahhaj in the enforcement of their  
18 ideology.

19 Q. The statements here, were they relayed to you  
20 personally --

21 A. Yes.

22 Q. -- during your interview with him, or multiple interviews  
23 with him?

24 A. Yes.

25 Q. Now, in your interviews with him, did he hear these

1 statements that were described, or witness the events that are  
2 described, or know the things that had happened that he's  
3 telling you about through his own personal knowledge?

4 A. Yes.

5 Q. And is that because he was the person who was hearing the  
6 statements or observing the events?

7 A. Yes.

8 Q. Now, if we move on to Page 2 and Exhibits 1a, 1b, 1c, and  
9 1d, same basic questions: who is relaying these statements?

10 A. Farroll Louis-Jacques.

11 Q. And he was telling them -- who was he telling them to?  
12 was he telling them to you?

13 A. Yes.

14 Q. And was he the hearer of the statements, or the observer  
15 of the acts, himself --

16 A. Both.

17 Q. -- that he describes in here?

18 As we go on to Page 3, are those all familiar to you as  
19 more of the statements that he, and evidence that he describes  
20 to you in your interviews with him?

21 A. Yes.

22 Q. And on to Page 4, Exhibit 2, who is the person relaying  
23 these statements?

24 A. Jamil Louis-Jacques.

25 Q. And who is he?

1 A. The second oldest child, biological child, of Jany  
2 Leveille and Michael Louis-Jacques.

3 Q. Was he also present at the compound throughout the entire  
4 time that the Defendants were there?

5 A. Yes.

6 Q. And was he telling these statements and observations to  
7 you?

8 A. Yes.

9 Q. And was he the person viewing, observing, hearing or  
10 experiencing the events and statements described in this center  
11 column?

12 A. Yes.

13 Q. As we move on to Page 5 and on to Page 6, Exhibits 2a and  
14 2b, same questions: who is the person relaying these  
15 statements?

16 A. Jamil Louis-Jacques.

17 Q. Was it also during interviews with you, personally?

18 A. Yes, as far as I can tell. There was one interview that  
19 was done with Jamil that wasn't with me.

20 Q. As far as you know, everything in here that's described,  
21 was he the person viewing, observing, experiencing, or hearing?

22 A. Yes.

23 Q. Now, on to Page 7 and Exhibit 3. It's listed in here as  
24 Jane Doe 1, but based on the -- well, do you know who Jane  
25 Doe 1 is?

1 A. I believe this is -- let's see. Aisha Morton.

2 Q. And if you need to, I can pull anything up, but --

3 A. No, I believe it was Aisha Morton.

4 THE COURT: would you spell the first name.

5 THE WITNESS: A-i-s-h-a.

6 BY MR. HALL:

7 Q. And who is she?

8 A. Daughter of Lucas Morton and Subhanah Morton -- or  
9 Subhanah Wahhaj.

10 Q. And around how old was she when you were -- did you  
11 interview her personally, as well?

12 A. I did.

13 Q. How old was she around when you did that?

14 A. Eight.

15 Q. And was she at the compound with the Defendants throughout  
16 the entire time?

17 A. Yes.

18 Q. And was she the person who was either experiencing or  
19 observing or hearing the statements and events described in  
20 these bullets?

21 A. Yes.

22 Q. Now, Exhibit 4 on Page 8, that is the book we talked about  
23 a lot already, so I think we can skip that, in terms of you  
24 knowing what it is and what's contained in it. You've  
25 described that.



1 And we'll skip up to Page 10, Exhibit 5, and it states,  
2 "Jany's Writings," in addition to the books. Are you aware of  
3 what these writings are that would be in the exhibit, just off  
4 this description?

5 A. I believe this is in reference to her journal, like her  
6 diary.

7 Q. Diary or other -- is it just other handwritten --

8 A. Handwritten notes.

9 Q. -- notes or things? Okay. And was that found at the  
10 compound, as well, those writings?

11 A. Yes, I believe so.

12 Q. And is there anything in the content of those that makes  
13 you feel confident that it was written by Jany Leveille?

14 A. It has the same kind of content, like as far as what the  
15 roles are. That is also in her typed book.

16 Q. And if it would help you to see the exhibit, I'm happy to  
17 pull it up for you. Just let me know.

18 We'll move on to Exhibit 6 at the bottom there. That's  
19 the letter to Muhammad Wahhaj. And we talked about that a lot  
20 already, right?

21 A. Yes.

22 Q. And was that letter collected from the Clayton County  
23 Police Department as part of the evidence in this case?

24 A. Yes.

25 Q. So now as we move on to Page 11, the next section there is

1 Exhibits 7 through 15. These are described as "Chats, MMS and  
2 SMS." Can you describe real quickly what the difference is  
3 between chats, MMS and SMS?

4 A. SMS is short message -- I forget what the last S is for.

5 Q. Service.

6 A. Service. Multimedia messages, which are pictures and  
7 videos, typically. And then chats can be WhatsApp or Facebook  
8 Messenger.

9 Q. And so just based on this description, do you know what  
10 Exhibits 7 to 15 consist of, based on your investigation in  
11 this case?

12 A. Electronic extracts from electronic evidence that was  
13 located at the New Mexico compound.

14 Q. And when you say electronic evidence, are you saying  
15 phones that were found at the compound?

16 A. Phones, computers.

17 Q. And so these are extracts from those devices?

18 A. Yes.

19 Q. Is there anything about the content of the extracts -- and  
20 we looked at some of this in Exhibit 10 already -- that gives  
21 you reason to believe that all or one of the Defendants was  
22 using those devices at the compound?

23 A. A lot of the content is similar to and corroborated by  
24 other witnesses or physical evidence.

25 Q. Are persons names listed in some of these extracts?

1 A. Yes.

2 Q. Now, if we move forward to Exhibit 16 on Page 15, these  
3 are statements on the Alabama lapels. So we talked about the  
4 crash in Alabama already. Are you aware that there were  
5 recordings taken by the State Trooper through his lapel camera,  
6 or maybe from the car, that were collected as part of the  
7 evidence in this case?

8 A. Yes.

9 Q. And are those the lapel videos that you were referencing  
10 when we talked about some of the statements that Siraj Wahhaj  
11 and Jany Leveille made during that car crash?

12 A. Yes.

13 Q. So that would be the same for Exhibit 16a and 16b on  
14 Page 16, just separate lapel segments? Is that fair to say?

15 A. Yes.

16 Q. Same crash?

17 A. Yes.

18 Q. Same day?

19 A. Yes.

20 Q. And then Exhibit 17, that's the written motor vehicle  
21 accident report. Do you recall looking at that earlier?

22 A. Yes.

23 Q. And that also came from the Alabama -- well, did that also  
24 come from the Alabama State Highway Patrol? Or maybe I'm  
25 getting the agency wrong.

1 A. Alabama Law Enforcement Agency, their state police.

2 Q. And that described the events of the car crash, as well?

3 A. Yes.

4 Q. Exhibit 18 is entitled, "Shooting Videos." Do you know  
5 what those shooting videos are?

6 A. Yes.

7 Q. Can you describe what they are and where you found them?

8 A. We found them on electronic media that was located at the  
9 Taos compound. The contents of those videos are different  
10 training techniques using firearms; shooting, moving,  
11 reloading. There was a video of someone on a motorcycle  
12 conducting a drive-by with a pistol, I believe it was.

13 Q. And who are the people depicted in these videos?

14 A. Lucas Morton, Siraj Wahhaj, Farroll Louis-Jacques, and I  
15 believe Jamil Louis-Jacques is also featured.

16 Q. And you mentioned this, but I think you got these from  
17 electronic devices that were found at the compound?

18 A. Yes.

19 Q. Now, moving to Page 18 and Exhibit 19, where it says,  
20 "Facebook, Subhanah and Morton," is that description enough for  
21 you to know what we're talking about, or do you want me to pull  
22 up the exhibit?

23 A. No, I believe I know what you're talking about.

24 Q. Okay. What are these statements, or what is this exhibit?  
25 where did they come from?

1 A. Facebook Messenger.

2 Q. And how did we get Facebook Messenger?

3 A. I believe these were from search warrants on Facebook  
4 Messenger that the FBI executed.

5 Q. And just to be clear, the extractions from the phones that  
6 we talked about earlier, could some of those also pick up the  
7 same like messaging apps content?

8 A. Yes.

9 Q. But these are the ones that came from the Facebook search  
10 warrant; is that right?

11 A. I believe so.

12 Q. Okay. Now, moving to Page 20 and Exhibit 20, it says,  
13 "Siraj writing." And the notebooks or the writings that are  
14 described there, do you recognize what this exhibit is?

15 A. Yes.

16 Q. And can you describe where you found that, or those  
17 materials?

18 A. I believe it was in the tunnel of the Taos compound.

19 Q. And then Number 21, Exhibit 21, same page, we also looked  
20 at this earlier in your testimony, but the NYCPD Online  
21 Activity Report, can you describe what that is and where it  
22 came from?

23 A. It's a report from NYPD regarding -- it's basically a  
24 time-line of events that had occurred from the kidnapping  
25 onward, and it was published post-August 3rd, 2018.

1 Q. I'll have you turn to Page 22 and Exhibit 22. "Subhanah  
2 and Lucas Statements to Family." We looked at this also  
3 earlier, but do you recall the document or the exhibit where we  
4 looked at the statements being made to Jessica and Nina?

5 A. Yes. That was in the 302.

6 Q. And what is a 302?

7 A. The interview of Nina and Jessica.

8 Q. And that was done after the arrest of the Defendants?

9 A. Yes.

10 Q. Page 23, Exhibit 23, describes Lucas Morton's statements  
11 to CCPD detectives. We looked at these and talked about these  
12 earlier, as well. But what is this exhibit portraying?

13 A. Lucas Morton hand delivering the letter approximately  
14 December 31st, 2017, and being talked to by CCPD regarding the  
15 whereabouts of Abdul-Ghani, and showing Lucas Morton's  
16 evasiveness to answer the questions from the police department.

17 Q. On Page 24, Exhibit 24, it states, "Siraj wahhaj  
18 Statements of Kidnapping," is what it's titled. We looked at  
19 these, as well, during the first part of the testimony. I do  
20 just want to bring this up just to be clear, because we didn't  
21 talk about this other part.

22 So I will bring this onto your screen. You mentioned  
23 these already. Can you describe what these pages are?

24 A. Police report from Clayton County Police Department.

25 Q. Based on the title here, is this also a police report from

1 Clayton County?

2 A. Supplemental Report, yes.

3 Q. And then based on the title of the document, Page 6 of  
4 that exhibit, are you able to tell what this report is, where  
5 it comes from, just based on the way it's written and based on  
6 the description at the top?

7 A. From Clayton County Police Department.

8 Q. And usually when you see things like this, where it says,  
9 "Case Manager," do you have an idea of what this document might  
10 have been in reference to?

11 A. I believe it's in reference to Georgia's version of child  
12 protective services.

13 Q. Okay. So the highlighted statements here, where it says,  
14 you know, BFA and BFA brother, down at the bottom, "His brother  
15 told him about plans to relocate to Tuskegee," are you able to  
16 tell from reading what, like, BFA would mean?

17 A. I think it's in reference to biological father.

18 Q. Who in this case would be?

19 A. Siraj wahhaj.

20 Q. I'm moving on to Page 26, Exhibit 25, and I'll do 25 and  
21 25a together, which is on Page 28. Those exhibits, 25 and 25a,  
22 are Von Yusuf, or Yusuf Saber. We just talked about that. We  
23 just looked at some of those. But can you describe what these  
24 exhibits are?

25 A. Conversations that Yusuf had with Jany Leveille, referring

1 to the group as "we," including himself. And we corroborated  
2 much of this -- a lot of it is corroborated between -- some of  
3 the events that Jany was telling Yusuf corroborates a lot of  
4 activities that occurred in her book.

5 Q. And, like, what platform, or where did the content  
6 actually come from for these exhibits?

7 A. WhatsApp messaging, and I believe Facebook, as well.

8 Q. And if I go back to 25a here, do you recognize what  
9 platform that would be?

10 A. That's Facebook Messenger.

11 Q. Moving on to Page 30 and Exhibit 26, it says, "Jany's CYFD  
12 Interview." Jany made the statements in here to CYFD. What is  
13 CYFD?

14 A. Child, Youth and Family Development, I believe is the  
15 acronym.

16 Q. And why would they have been involved? Did you understand  
17 during your investigation that they were involved, as well?

18 A. Yes.

19 Q. And why would that have been?

20 A. From my understanding, due to the living conditions of the  
21 11 children on the property.

22 Q. And in this statement that's referenced in here, is that  
23 consistent with other statements we've already talked about in  
24 terms of what the Defendants responded with when the  
25 authorities were trying to find Abdul-Ghani?



1 A. Yes.

2 Q. Now, moving to Page 32, Exhibit 27a, we looked at that  
3 earlier, the statements in Sergeant Rael's report. Are you  
4 familiar with what that content was and what that report was  
5 documenting?

6 A. Yes.

7 Q. And what was that, generally?

8 A. Morton being evasive about the whereabouts of -- or Morton  
9 threatening that the deputies would be hurt and that -- he  
10 basically promises that they will be hurt.

11 Q. And that occurred on what day?

12 A. August 3rd.

13 Q. So 27b, 27c and 27d we didn't look at, but just based on  
14 the title from OSI SA Torres or OSI SA Garcia, and then  
15 TCSO/OSI -- what is OSI? Do you know the acronym? Is it  
16 office of special investigations?

17 A. In New Mexico, like state insurance, I believe, is --  
18 like, they investigate insurance frauds.

19 Q. Are they just another law enforcement in New Mexico --

20 A. Yes.

21 Q. -- another law enforcement agency?

22 So are you familiar with the statements, through your  
23 investigation, that are documented in these reports, and are  
24 you familiar with the reports, generally?

25 A. Yes.

1 Q. And were they made on the same day, August 3rd, 2018?

2 A. Yes.

3 Q. So they were documenting the events of the search warrant;  
4 is that fair to say?

5 A. Yes.

6 Q. Now, 29 on the next page, Page 33, Exhibits 29a and 29b,  
7 these are described as statements to TCSO. What's TCSO?

8 A. Taos County Sheriff's Office.

9 Q. And in 29b, it says, "Hogrefe Supplemental Report." Do  
10 you know who Hogrefe is?

11 A. At the time, he was the Sheriff.

12 Q. The Sheriff of Taos County?

13 A. Yes.

14 Q. And are you familiar with the statements that were  
15 recorded in these reports?

16 A. Yes.

17 Q. And they were also made either on or between August 3rd  
18 and August 6th. Does that sound right to you?

19 A. Yes.

20 Q. Now, Exhibit 30 at the bottom there, it says: "Lucas and  
21 Farroll Statements to OSI Cappelli." So OSI, again. Is that  
22 the same additional New Mexico law enforcement agency?

23 A. Yes.

24 Q. And are you familiar with the date of that report?

25 A. August 3rd.

1 Q. And generally, what kind of things were being recorded in  
2 that exhibit?

3 A. Statements from Morton that God was calling the shots, and  
4 a statement from Farroll that he called himself Muhammad.

5 Q. Now, Page 34, Exhibit 31, it says, "Jane Doe 2  
6 Transcript." Are you familiar with who Jane Doe 2 is in this  
7 context?

8 A. The biological daughter of Siraj and Jany.

9 Q. And how old was she at -- did you speak to her, yourself?

10 A. Yes.

11 Q. And how old was she when you spoke with her?

12 A. Eight.

13 Q. Was she at the compound the entire time with the  
14 Defendants?

15 A. To my knowledge.

16 Q. And are the statements and observations described in here  
17 what she relayed to you personally?

18 A. Yes.

19 Q. And are the statements and observations and experiences,  
20 are they things that she experienced, observed and heard  
21 herself while she was at the compound?

22 A. Yes.

23 Q. Now, Page 35, Exhibit 32, Jane Doe 3. Do you know who  
24 Jane Doe 3 is?

25 A. Hujrah wahhaj's biological daughter.

1 Q. And did you speak to her yourself?

2 A. I did.

3 Q. And how old was she around the time you spoke with her?

4 A. Eight.

5 Q. And was she at the compound the entire time with the  
6 Defendants in New Mexico?

7 A. To my knowledge.

8 Q. And did she relay these things to you directly?

9 A. Yes.

10 Q. And the description of events and observations and  
11 statements, did she see, hear and observe those things herself,  
12 or experience those things herself --

13 A. Yes.

14 Q. -- as described here? All right.

15 Now, moving to Page 37, Exhibits 33 and 34 are the same.

16 It says, "New Mexico State Police dashcam audio." Are you  
17 familiar with this exhibit?

18 A. Yes.

19 Q. And we talked about this earlier, right?

20 A. Yes.

21 Q. What is it documenting, generally?

22 A. A conversation that a New Mexico State Police officer had  
23 with Lucas Morton on the property in Taos, New Mexico.

24 Q. And that was around -- on or about June 30th, 2018; is  
25 that right?

1 A. Correct.

2 MR. HALL: One moment, Your Honor.

3 Your Honor, at this point I think we will pass the  
4 witness. And I just want to note for the Court's convenience,  
5 the chart that we just went through, I had mentioned this  
6 earlier, but a lot of the stuff in there that's blue is  
7 evidence that the United States would be submitting not  
8 necessarily for the truth of the matter asserted, so not  
9 necessarily as co-conspirator statements, but for all the  
10 separate reasons that Courts have recognized; context, the  
11 significance that they were made, not necessarily that they  
12 were true, those sorts of things. And I'm sure this will come  
13 up in the briefing more, but that's why they're blue and that's  
14 why some of these other ones are white.

15 And with that, I'll pass the witness.

16 THE COURT: Go ahead, Mr. Ray, if you want to go  
17 first.

18 MR. RAY: Thank you, Judge, yes.

19 CROSS-EXAMINATION

20 BY MR. MARSHALL RAY:

21 Q. Good afternoon, sir.

22 A. Good afternoon.

23 Q. If you don't mind, I wanted to ask you a few points of  
24 clarification about the different conspiracies and the  
25 time-lines of those conspiracies you had told us about. And

1 I'm going to refer back to the -- if I misstate what you're  
2 saying at any time, I depend on you to correct me.

3 A. Sure.

4 Q. So you talked about a conspiracy to provide material  
5 support to terrorists, right?

6 A. I stated material support earlier.

7 Q. Okay. When did that conspiracy begin, in your estimation?

8 A. I guess it depends on how you may view it, the kidnapping  
9 of Abdul-Ghani. Abdul-Ghani was used as the motivation for the  
10 next -- when he came back to life is when they would come and  
11 do these, or commit these conversions of Government  
12 institutions. And so without the kidnapping of Abdul-Ghani,  
13 then they wouldn't have had the ability to use that as their  
14 motivation to complete their objective.

15 Q. Okay, I'm not sure I followed. Are you saying that there  
16 was a conspiracy to provide material support before Abdul-Ghani  
17 died, that this conspiracy was already in place?

18 A. The conspiracy being that there was financial support, a  
19 group of people contributing to the conspiracy. And you could  
20 articulate that without Abdul-Ghani, then there would not have  
21 been the secondary conspiracy of using him to be a reason to  
22 conduct these conversions of corrupt government institutions.

23 Q. Okay, I think I got what you're saying.

24 So before Abdul-Ghani dies, you're saying that there was  
25 some conspiracy to provide material support, but that a

1 secondary conspiracy arises sometime after Abdul-Ghani's death,  
2 because he's going to be an object of that conspiracy? Is that  
3 what you're saying?

4 A. Can you repeat that again?

5 Q. well, what it sounds like you're saying, and you tell me  
6 if this is not what you said, you said there was a conspiracy  
7 to provide material support that started sometime around the  
8 time that they take Abdul-Ghani, but then you say there's a  
9 secondary conspiracy which relates to Abdul-Ghani identifying  
10 targets to convert or do something with. Is that what you're  
11 saying?

12 A. I think if someone wants to make an argument that there  
13 are parallel conspiracies, then one parallel is the kidnapping  
14 conspiracy that begins when he was taken. Without Abdul-Ghani  
15 being taken, then you couldn't have the conspiracies of 1114  
16 and 2339(a) and 1117, because he was used as the crux of  
17 conducting the second part, or going out and converting these  
18 corrupt government institutions.

19 Q. Okay.

20 A. Per what's in the book and witness statements.

21 Q. So you've got a conspiracy to commit kidnapping, which  
22 you're pegging the beginning of that conspiracy around the time  
23 that they take Abdul-Ghani; is that right?

24 A. For the kidnapping?

25 Q. Yes.

1 A. Yes.

2 Q. And then you're saying that the conspiracy to provide  
3 material support -- which is a separate conspiracy, right?

4 A. Correct.

5 Q. That that conspiracy begins when there's this doctrine of  
6 Abdul-Ghani coming back as Isa and providing them with the  
7 targets; is that correct?

8 A. I think what I'm saying is that without him being taken,  
9 then that conspiracy is never occurring.

10 Q. Okay. And I guess I'm just trying to ask a really simple  
11 time-line question, like if you were putting dots on a  
12 time-line. Like right here on this day is when the kidnapping  
13 conspiracy starts, in your estimation, and on this day is when  
14 the conspiracy to provide material support begins. Would you  
15 be able to place a dot on a line graph of time passing by and  
16 articulate that?

17 A. It kind of seems like a legal question regarding when a  
18 conspiracy can take place. I think I said that the conspiracy  
19 to provide material support, one could argue that it starts  
20 when the kidnapping starts, because without Abdul-Ghani being  
21 taken, then the conspiracy to commit 2339(a), with the 1114 and  
22 1117, may not occur.

23 Q. Well, let me try to articulate it in a factual way, then.  
24 I don't want you to have to make legal conclusions.

25 what is the first statement in the time-line that you



1 think relates to providing material support to terrorists?

2 A. Well, I never said terrorists, but providing material  
3 support to this group to commit 1114 and 1117.

4 But to answer the question about when the first statement  
5 would be to commit acts of 1114 and 1117 --

6 Q. Okay.

7 A. -- maybe around the late December timeframe when the  
8 letter was given to Muhammad to bring your weapons and to come  
9 and be a martyr would be an indication of the planning that's  
10 starting to occur regarding going after corrupt institutions.

11 Q. All right. And I do apologize, I say conspiracy to  
12 provide material support to terrorists, because I'm reading  
13 that off the indictment. So I appreciate your clarification  
14 there.

15 So other conspiracies here, the conspiracy to commit an  
16 offense against the United States, do you consider that to be a  
17 parallel time-line to material support? Is it essentially the  
18 same thing?

19 A. I would say that's correct.

20 Q. All right, I appreciate that.

21 I want to ask you a few clarifications about this chart,  
22 too, which the Court has been -- it's the chart that the United  
23 States provided today, and I don't know what to call it.

24 MR. RAY: What are we calling this?

25 MR. HALL: Exhibit 35.

1 BY MR. RAY:

2 Q. Exhibit 35. It's marked as Government's Exhibit 35, and  
3 I'm just going to go through it and just get some  
4 clarifications on that. For example -- and you don't have a  
5 paper copy of it in front of you, do you? Oh, you do. Okay.

6 So turning to Page 2, 1a, 1b, 1c, 1d, if I understand this  
7 right, these are statements that are coming from the mouth of  
8 Farroll. Do I understand that correctly?

9 A. Yes.

10 Q. Okay. And I believe you testified in your direct  
11 testimony today that Farroll explained these things in an  
12 interview with law enforcement. Was it you that interviewed  
13 him?

14 A. Yes.

15 Q. And that interview happened on August 7th? There was a  
16 series of interviews, right, in August? August 7th,  
17 August 9th, August 21st, 2018, correct?

18 A. Correct.

19 Q. So this is all after you guys have conducted search  
20 warrants and arrested people, correct?

21 A. We had not. The FBI had not arrested people at this time.

22 Q. Somebody had arrested folks out there by this time?

23 A. Yes.

24 Q. And some of them were in custody by this time, right?

25 A. Yes.

1 Q. Okay. And that same timeframe, more or less, holds true  
2 if you go to Page 4 where you have Jamil, right? The Jamil  
3 statements, can you remind us how those came about?

4 A. Through interviews.

5 Q. Interviews in August to -- or, when did the interviews  
6 happen?

7 A. The dates aren't listed specifically here, but I'm almost  
8 certain they all occurred in August of 2018.

9 Q. And would that certainty also carryover to them coming  
10 after search warrants had been executed out in Taos?

11 A. That would have come after the August 6th Taos County  
12 search warrant.

13 Q. Okay, the interviews with Jamil would have come after the  
14 August 6th search warrant, at least, right?

15 A. Yes.

16 Q. Interviews with law enforcement?

17 A. Correct.

18 Q. Okay. And that also holds true for, going over to Page 6,  
19 the Jamil transcripts from 8-10 and 8-21, 2a and 2b, in  
20 Exhibit 35? This was all drawn from interviews with Jamil  
21 conducted by law enforcement in furtherance of the  
22 investigation of what was going on in Taos, correct?

23 A. Correct.

24 Q. Talking about -- sometimes it gets referred to as Jany's  
25 book, sometimes it's getting referred to as Jany's journal or

1 diaries. It's fair to me that you call it whatever you want to  
2 call it, but do you understand what I'm talking about as the  
3 three-volume writing of Jany Leveille, or what you guys are  
4 calling the writing of Jany Leveille?

5 A. Yes, I'm familiar with that text.

6 Q. Okay. Do you consider everything in that writing to be  
7 true or factual?

8 A. A lot of the text that's in that writing has been  
9 corroborated through witness statements, and so it would lead  
10 you to believe that a lot of the things that are written down  
11 in there are actual facts of events that occurred, because a  
12 lot of it has been corroborated through either interviews or  
13 recovered electronic medium.

14 Q. Are there statements in that set of books that you  
15 consider not to be true?

16 A. I know of statements, I believe, that are not  
17 corroborated, but I can't recall off the top of my head any  
18 statements that were false.

19 Q. Okay. What are the statements you're thinking of that  
20 were not corroborated?

21 A. Just individuals that they tried to convert along their  
22 travels. We never found those individuals to identify that  
23 that event actually took place. I think there's like a taxi  
24 driver that they had a discussion with. The name isn't there,  
25 so just stories like that that we could not corroborate.

1 Q. Earlier today, one of the items that you testified to as  
2 about Abdul-Ghani asking to go home to his mom. Do you  
3 remember giving testimony about that?

4 A. Yes.

5 Q. Did you draw that from Jany's journal, or did you have  
6 some other source that provided that information?

7 A. No, I believe that came from her book.

8 Q. Okay. Do you consider that to be corroborated or  
9 uncorroborated?

10 A. There are no other witnesses that I can recall that have  
11 said that.

12 Q. Okay. And was it your understanding that Abdul-Ghani  
13 actually couldn't speak?

14 A. From speaking to the mother and other family members, he  
15 did not speak in complete sentences. I think they described  
16 that he really couldn't speak.

17 Q. Do you remember for certain anybody saying Abdul-Ghani had  
18 any ability of speech, outside of Jany's journal?

19 A. No, I can't recall that.

20 Q. Okay. There's also -- you made brief reference in your  
21 testimony to law enforcement in Georgia trying to make contact  
22 with Siraj after Hakima is reporting that he's taken  
23 Abdul-Ghani, and am I correct that this is in about early  
24 December of 2017? Do I have that pretty close to right?

25 A. I believe so.

1 Q. And where do you get the information about -- and this  
2 also -- I want to make sure that this is what you testified  
3 about. When you were testifying earlier, were you referring to  
4 law enforcement in early December in Georgia trying to make  
5 contact with Siraj on behalf of Hakima? Is that your  
6 understanding of what was happening?

7 A. Yes.

8 Q. Okay. And where do you draw that from?

9 A. I believe there's a police report that talks about a  
10 police officer going up the steps of, I believe it was Hujrah's  
11 house, and speaking to Siraj, and Hakima was behind the police  
12 officer.

13 Q. Have you seen that police report?

14 A. I have, yes.

15 Q. Has it been discussed today? Is it in any of the exhibits  
16 that were presented during your testimony?

17 A. I don't recall seeing that specific police report today.

18 Q. But you do recall seeing a police report that describes a  
19 police officer going up the steps of Hujrah's house and  
20 speaking to Siraj?

21 A. Yes, I believe it was a police report.

22 Q. All right. Have you heard about any narrative along those  
23 lines coming from any other source besides a police report in  
24 Georgia?

25 A. Not that I can recall. I'd have to refer to my interviews

1 with Hakima, or interviews that people have done of Hakima. It  
2 also came up in those.

3 Q. Okay. If there were statements along those lines, if  
4 there was a narrative along those lines in Jany's writings, do  
5 you recall if you've seen it before?

6 A. I can't recall. It may be. I don't remember.

7 Q. Okay. If something like that appeared in Jany's writings,  
8 would you then consider it corroborated by the police report?

9 A. Yes.

10 Q. Going back to the idea of the resurrection of Abdul-Ghani  
11 as Isa, do you know if there was any discussion of, or  
12 prediction of Abdul-Ghani resurrecting or being associated with  
13 Isa before his death?

14 A. I don't think I have evidence that says that there were  
15 discussions of that before his death.

16 Q. Is the body of evidence that you've been looking at in  
17 this case pointing to the Abdul-Ghani resurrection as Isa being  
18 an idea that formed after his death? Is it fair to say that?

19 A. Based off the evidence I have, there's no indication of a  
20 discussion happening before.

21 Q. Okay. You were also talking a little bit about how  
22 different folks, different Defendants, and then some  
23 non-Defendants, have identified roles.

24 A. Sure.

25 Q. What did you understand Hujrah Wahhaj's role to be?

1 A. Based off, I think, witness statements as well as the book  
2 that Jany had written, she was to run the compound after the  
3 group went out with Isa to conduct these conversions.

4 Q. And what does "run the compound" mean?

5 A. That's just what was written, so --

6 Q. Where was that written, "run the compound"?

7 A. That's not verbatim. I think it was supervising the  
8 compound, overseeing it, something along those lines.

9 Q. Were they calling it a compound, or are those your words?

10 A. I'd have to refer to the transcript to identify how they  
11 were calling it.

12 Q. Okay. But you're saying that you saw something written  
13 that indicates that Hujrah was going to be a supervisor in some  
14 capacity of -- is it of the property or of the people? I mean,  
15 is she like a property caretaker, or a housekeeper, or was she  
16 running people and organizing a staff of people?

17 A. I guess you could look at it differently. I think the way  
18 it's -- I don't remember correctly how it's transcribed. It's  
19 maybe the property, or if there's any individuals remaining on  
20 the property. I don't think it's very specific.

21 Q. Are you possibly speculating a little bit about what the  
22 instructions for her role might have meant?

23 A. I think it just goes along the lines of saying, like,  
24 running the compound, or the property. What that means is  
25 probably up to interpretation.



1 Q. Okay. Did you have any other indicators of what her role  
2 was going to be?

3 A. Between witness statements and the book, not that I can  
4 recall.

5 Q. And are any of these witness statements that you're  
6 talking about statements that are trying to be entered in as --  
7 you probably don't know this. I'm not going to ask you this  
8 question. I withdraw that.

9 Sticking with, you know, our understanding of Hujrah's  
10 role for a minute, did you have any evidence that Hujrah wahhaj  
11 knew about the custodial status or rights over Abdul-Ghani as  
12 between Hakima and Siraj?

13 A. I don't think there's comments like with Subhanah, saying  
14 that these are lies, but she knew that Abdul-Ghani lived with  
15 Hakima Ramzi, and that Hakima Ramzi gave birth to Abdul-Ghani.  
16 I think that's probably what I can say as far as I can remember  
17 of statements. I don't think there were statements like  
18 Subhanah being told to return the child. But I can't recall if  
19 all the e-mails or messages, if any of those were directed  
20 specifically at Hujrah.

21 Q. Okay. But even going with that, right, so somebody on  
22 social media or through some other means of communication  
23 saying, bring the child back to Hakima -- I get that, right.  
24 But what I'm asking is, does anybody know, outside of -- do you  
25 have any evidence showing that Subhanah or Hujrah or anybody

1 else actually knows who's right and who has the legal right to  
2 have Abdul-Ghani at this time?

3 I understand that they may know that Hakima wants  
4 Abdul-Ghani back, but what I'm asking is a different question.  
5 I'm asking, what do you have in your body of evidence, in your  
6 investigation, that says Hujrah knew that Siraj didn't have the  
7 right to, say, have Abdul-Ghani in his physical custody at this  
8 time because of X order, or X restraining order, or, you know,  
9 a hearing officer's statement back in Georgia?

10 A. As far as, like, a legal order and whether they knew about  
11 it, I don't think I have a particular document that says that.  
12 It would have been if Lucas Morton relayed that information  
13 when CCPD told Lucas Morton that there was a pickup order on  
14 December 31st for Abdul-Ghani.

15 Q. Okay. And so before December 31st and that pickup order,  
16 there actually weren't any orders in place by any court of law,  
17 that you're aware of, or any law enforcement agency as to where  
18 Abdul-Ghani was supposed to reside, whether with Siraj or  
19 Hakima; is that fair?

20 A. I believe that there were orders before December 31st.

21 Q. That these folks knew about?

22 A. I can't say that.

23 Q. So when it comes to the time-line for the conspiracy to  
24 commit kidnapping, are you placing it, you know, when people  
25 might at least have constructive knowledge of some kind of an

1 order regarding where Abdul-Ghani should or shouldn't be, or  
2 are you trying to place it before then?

3 A. To me, that seems like a legal question on determining the  
4 statute, as far as when is the child actually kidnapped versus  
5 when did they know that there was a pickup order.

6 Q. well, is the simple answer, you don't know --

7 A. To the legal --

8 Q. -- to my question?

9 A. I guess, can you repeat the question before I answer that?

10 Q. well, I guess what I'm just trying to ask you is, when do  
11 you consider the conspiracy to kidnap Abdul-Ghani to begin?  
12 Are you saying it's when people know or could at least have  
13 constructive notice that Siraj wasn't supposed to have him, or  
14 are you saying that before there was any type of legal notice  
15 that Siraj was not supposed to have him that a conspiracy to  
16 kidnap nevertheless existed?

17 MR. HALL: I'm just going to go ahead and object. I  
18 think it calls for a legal conclusion, and it misstates the law  
19 on what kidnapping is.

20 THE COURT: well, recognizing that the witness is not  
21 a lawyer, if he can answer the question based on his  
22 investigation, he can. If he doesn't understand it, he can so  
23 indicate.

24 A. I understand the question, but I think that I'd be giving  
25 my opinion and not necessarily how the Court or the law may

1 view when a conspiracy occurs.

2 THE COURT: Do you want his opinion?

3 BY MR. RAY:

4 Q. Let me ask you this: You are the agent that is  
5 investigating and bringing these criminal charges for  
6 kidnapping against the folks sitting at that table, are you  
7 not?

8 A. I collect the facts and provide the facts to the U.S.  
9 Attorney's Office.

10 Q. That's all you do? You don't have an opinion as to when  
11 and whether a kidnapping happened, as a law enforcement officer  
12 who has supported charges for these folks at this table?

13 A. I don't think my opinion matters. I collect the facts and  
14 I present the facts to the U.S. Attorney's Office, and they  
15 present them in a grand jury, or if there's a probable cause  
16 arrest or search.

17 Q. Do you think a kidnapping happened here?

18 A. I do.

19 Q. When did the kidnapping happen?

20 A. I believe the kidnapping occurred when Jany Leveille  
21 instructed Siraj Wahhaj to take Abdul-Ghani from his biological  
22 mother against her wishes.

23 Q. And would it matter to you if Siraj Wahhaj had a legal  
24 right to take Abdul-Ghani at that time? Would that change your  
25 view of things?

1 A. I'm not familiar on the state law regarding when you can  
2 take a child and what paperwork you might need.

3 Q. But we're not doing state law here today. I mean, what's  
4 your view under federal law, which you are trying to enforce  
5 today and throughout these proceedings?

6 MR. HALL: Same objection; legal conclusion.

7 THE COURT: Where are you going? I mean, I think he  
8 answered the question.

9 MR. RAY: I just want to know when the conspiracy  
10 began. He won't tell me.

11 THE COURT: He just answered that. In his opinion,  
12 or in his view, it was when the child was taken from the  
13 biological mother. So he's answered the question. Now ask the  
14 next one.

15 MR. RAY: Judge, if you would permit me to confer  
16 with my co-counsel for a minute.

17 THE COURT: Sure.

18 BY MR. RAY:

19 Q. Do you have any evidence that anyone in this group was  
20 planning conflict or confrontation with law enforcement before  
21 Abdul-Ghani died?

22 A. No.

23 Q. Okay. And similarly, do you have any evidence that the  
24 Defendants expected conflict with law enforcement before  
25 Abdul-Ghani was resurrected?

1 A. Did they expect conflict with law enforcement prior to  
2 Abdul-Ghani being resurrected?

3 Q. Yes, sir.

4 A. Well, I guess would you say that his resurrection was  
5 supposed to occur roughly around April or in August? Because  
6 there were periods while they were in Taos that they believed  
7 that law enforcement was watching and, per witness statements,  
8 that they were going to kill law enforcement if they approached  
9 the compound, or approached the property in Taos. And at that  
10 time, Abdul-Ghani had not been resurrected.

11 Q. Okay. And so there you're talking about these defensive  
12 maneuvers that they purportedly would make if a raid happened,  
13 right? So what about --

14 A. One of the witnesses also stated, in their own words, that  
15 it was for offensive purposes, as well.

16 Q. What was for offensive purposes?

17 A. These trainings, close-quarters combat, firing.

18 Q. And was that training, that offensive training, for this  
19 idea of going out and converting agencies and institutions, and  
20 if they didn't convert, then bad things would happen?

21 A. Yes.

22 Q. And is it your understanding of the evidence that that  
23 offensive activity was supposed to happen after the  
24 resurrection of Abdul-Ghani?

25 A. Correct.

1 MR. RAY: I'm going to pass the witness, Judge.

2 THE COURT: Okay.

3 MR. RAY: Thank you.

4 CROSS-EXAMINATION

5 BY MR. ARIC ELSSENHEIMER:

6 Q. Good afternoon, Agent Taylor.

7 A. Good afternoon.

8 Q. How are you?

9 A. I'm doing well. You?

10 Q. Good. I want to turn your attention to Exhibit 6. This  
11 is what you've described as Ms. Leveille's letter to Muhammad,  
12 I believe?

13 A. Yes.

14 Q. And is it correct to say that you got this letter from law  
15 enforcement in Georgia?

16 A. Clayton County, yes. Or it was given to the FBI in  
17 Clayton County and entered into our case file.

18 THE COURT: Did you want that up on the screen?

19 MR. ELSSENHEIMER: I don't need to have it up on the  
20 screen.

21 BY MR. ELSSENHEIMER:

22 Q. So the FBI got this from the Clayton County Police  
23 Department?

24 A. To my knowledge, yes.

25 Q. And where did the Clayton County Police Department get

1 that letter?

2 A. I believe they got it from Muhammad Wahhaj, but I can't  
3 recall that mechanism and how that occurred.

4 Q. Do you know if they got it from Jamilla Jihad, who got it  
5 from Muhammad?

6 A. I can't recall.

7 Q. And where did Muhammad get the letter?

8 A. From my knowledge, Lucas Morton gave him the letter.

9 Q. And you don't know when that letter was written, correct?

10 A. No, I don't.

11 Q. And just to be clear, that letter is not signed by anyone,  
12 correct?

13 A. Correct.

14 Q. I want to ask you about the firearms. You testified that  
15 one of the minor children, I believe it was either Farroll or  
16 Jamil, said that Ms. Leveille either fired or handled a gun  
17 twice; is that right?

18 A. Can you repeat that?

19 Q. I believe you testified -- and tell me which of the minor  
20 children it was who told you this. I think it was either  
21 Farroll or Jamil. They said that Ms. Leveille fired or handled  
22 a gun twice; is that correct?

23 A. I can't remember which, because they kind of have  
24 overlapping statements, but that she was given a firearm by  
25 Siraj Wahhaj while in Georgia, that they went to a gun range in



1 which she fired a rented firearm, and then while in Taos, she  
2 fired an AR-15, is I believe what it says in the transcript.

3 Q. Okay, let me just parse that out a little bit. So you  
4 don't know which of those individuals said that, Farroll or  
5 Jamil, but one of them did? For this hearing, it's one of the  
6 children, right?

7 A. Yes. Some of those are overlapping, but there might be  
8 information that was only in one of their statements.

9 Q. Okay. And there was a gun that they referred to that  
10 Ms. Leveille had in Georgia, correct?

11 A. Correct.

12 Q. And there was a gun that Ms. Leveille had in Amalia?  
13 That's what they told you?

14 A. Fired a gun on it one day, yes.

15 Q. And when was the gun allegedly handled or fired in  
16 Georgia?

17 A. I don't think they had a date.

18 Q. You have no idea?

19 A. No.

20 Q. And when was the gun allegedly fired or handled in New  
21 Mexico; in Amalia, New Mexico?

22 A. They didn't provide a date.

23 Q. You have no idea when that was?

24 A. Correct.

25 Q. Let me ask you about -- you've made a very brief reference

1 to Ms. Leveille's work visa and it having been expired. Do you  
2 remember that part of your testimony?

3 A. I do.

4 Q. And when was it that Ms. Leveille's work visa expired?

5 A. I know we have that in the case file, but I can't recall  
6 the exact date.

7 Q. Do you know when her status in the United States ended?

8 A. I can't recall the exact date.

9 Q. Do you know if Ms. Leveille had knowledge that her status  
10 ended when it allegedly ended?

11 A. There was immigration paperwork found in her house, I  
12 believe in a shoe box, that had to do with her status. But to  
13 answer the question about if she looked at those paperwork, I  
14 can't say.

15 Q. You don't know if she knew?

16 A. No, I can't say.

17 Q. Thank you.

18 In your testimony -- I'm going to just kind of use broad  
19 terminology here. You mentioned corrupt institutions and  
20 killing an officer. What law enforcement officer are they -- I  
21 think you got that from one of the children, right? Farroll or  
22 Jamil; is that right?

23 A. Yes, both.

24 Q. And what law enforcement were they talking about?

25 A. They mentioned, I think, the name military. I believe

1 they mentioned the FBI by name. I think they mentioned the  
2 CIA, as well, and I believe they mentioned the military. Not  
3 law enforcement, but education and banking systems.

4 Q. And you had mentioned corrupt institutions. Is that what  
5 it is? So banking systems, and did you say education?

6 A. Education system, and then including the other government  
7 agencies that I had previously mentioned.

8 Q. So where are these corrupt institutions that they were  
9 talking about, Farroll and Jamil?

10 A. Where are they?

11 Q. Yeah, where are they?

12 A. I mean, they didn't say, like, specifically in Taos, but  
13 there are these institutions located all across the United  
14 States.

15 Q. Okay. In terms of law enforcement, what law enforcement  
16 were they talking about? You said FBI and military, CIA. But  
17 what specifically are we talking about? Just all across the  
18 United States?

19 A. Well, they didn't make a statement like the FBI office in  
20 Santa Fe. They, in general, made statements about the FBI, the  
21 CIA, the military.

22 Q. Just to be clear, following on that, AG, the child, was  
23 going to be, according to what the children told you, raised  
24 from the dead at some point, right?

25 A. From what the children told me, and what was in Jany

1 Leveille's book.

2 Q. And that child was going to be raised from the dead as --  
3 you've used the term Isa?

4 A. That's what they've used.

5 Q. And you know that Isa is Christ, correct?

6 A. Correct.

7 Q. So the child was going to come back as the resurrected  
8 Christ, right? And at that point, based on what they told you,  
9 the Antichrist would also come, correct?

10 A. I think they referred -- are you talking about when they  
11 referred to Jamilla Jihad as Dejal?

12 Q. No. I mean, they did mention the Antichrist, right, that  
13 there was going to be an Antichrist that comes back?

14 A. I can't recall exactly.

15 Q. So in their telling and in their understanding of things,  
16 and what your understanding of things is, when Christ comes  
17 back from the dead, that Christ is going to go out and tell  
18 them who to convert? They're going to go tell them to convert  
19 people, correct?

20 A. From my understanding, yes.

21 Q. To Christ, right?

22 A. Yeah, to their ideological views.

23 Q. Okay. And it was Christ that was going to point them in  
24 the direction that they were to go, right, this resurrected  
25 Christ?

1 A. Isa was going to direct them to go to whatever institution  
2 and try to convert these institutions, per the statements of  
3 the witnesses and her book.

4 Q. Let me turn to a couple of questions that I think you  
5 started your testimony with. There was some discussion of  
6 Siraj, Mr. Siraj Ibn Wahhaj, getting ruqyah training; is that  
7 right?

8 A. Yes.

9 Q. And that ruqyah training was in England, correct?

10 A. Yes.

11 Q. And I think you mentioned that ruqyah is a term that has  
12 some parallel to the term exorcism as we might know of it?

13 A. I think that's a fair assessment.

14 Q. So Mr. Siraj Ibn Wahhaj went to England to get ruqyah  
15 training, right?

16 A. Yes.

17 Q. Ms. Leveille did not go with him to England, right?

18 A. No.

19 Q. And do you know when that happened, when there was ruqyah  
20 training in England?

21 A. I believe it was October 2017. I have the exact dates in  
22 my case file, but I don't remember the exact dates.

23 Q. And Siraj was the individual who got his child from Hakima  
24 Ramzi, correct?

25 A. At the instruction of Jany Leveille, Siraj Wahhaj took

1 Abdul-Ghani from Hakima Ramzi.

2 Q. But it was Siraj that went to Hakima's house and got AG,  
3 right?

4 A. Yes.

5 Q. And it was Siraj who told Hakima that he was taking the  
6 child to the park, correct?

7 A. Yes.

8 Q. And it was Siraj who said that he would be right back, or  
9 be back shortly, something like that?

10 A. Yes.

11 Q. And just flashing forward a little bit, when Siraj was in  
12 Alabama, you have a police report of after a car accident,  
13 right? And then you also have a video, correct?

14 A. Yes.

15 Q. I think you talked about that in your testimony earlier,  
16 but just let me clarify a couple of things. Siraj was at the  
17 car when he was being interviewed -- or not interviewed, but  
18 questioned by police officers about what happened with the  
19 traffic accident, right?

20 A. Yes.

21 Q. And with him were, correct me if I'm wrong, Farroll,  
22 Jamil, and AG, correct?

23 A. It appears to be AG, but I don't think I could identify  
24 precisely on the video.

25 Q. And AG was in the car, correct?

1 A. Yes.

2 Q. And everyone else had went to the hospital?

3 A. Correct.

4 Q. And Siraj -- sorry. There were guns in that car, correct?

5 A. Per the Alabama State Trooper, yes.

6 Q. Okay. And Siraj said those guns were his, correct?

7 A. Correct.

8 Q. And he said he was going to New Mexico with his family?

9 A. Yes. He said he was going to go camping in New Mexico.

10 Q. Let me just turn your attention to -- I believe this is  
11 Exhibit 31. I don't think you have to turn to it, because you  
12 just testified to this, but if you need to, of course please  
13 let me know.

14 This is Jane Doe 2's interview with law enforcement, I  
15 believe, and according to Jane Doe 2 -- let me just make sure I  
16 understand this. She said Siraj said that he was glad God  
17 helped him take his son; is that correct?

18 A. Do you mind if I look at the exhibit?

19 Q. I believe this is Exhibit 31.

20 A. I've looked at Exhibit 31.

21 Q. And so Jane Doe 2 said that Siraj told her that he was  
22 glad God helped him take his son; is that correct?

23 A. Yes, because Hakima was -- or they believed that Hakima  
24 had taken AG from Jany Leveille's stomach.

25 Q. And you said you don't have any evidence that Hujrah or

1 Subhanah, and I think you said others, knew the custodial  
2 status of AG. You don't have any evidence that Ms. Leveille  
3 knew the custodial status of AG, either, do you?

4 A. Other than knowing that it's Hakima Ramzi's child, I don't  
5 have anything to say that they saw the paperwork regarding the  
6 custodial status.

7 MR. ELSENHEIMER: May I have just a moment, Your  
8 Honor?

9 THE COURT: Sure.

10 MR. ELSENHEIMER: Nothing further, Your Honor. I  
11 pass the witness.

12 THE COURT: MS. Fox-Young.

13 MS. FOX-YOUNG: Thank you, Your Honor.

14 CROSS-EXAMINATION

15 BY MS. JUSTINE FOX-YOUNG:

16 Q. Good afternoon, Agent.

17 A. Good afternoon.

18 Q. You testified earlier as to the aspects of material  
19 support as you understand them. Do you remember that?

20 A. Yes.

21 Q. Okay. Is this an inclusive list? And correct me if I'm  
22 misstating anything. Training, tactical planning, contributing  
23 financial and other resources.

24 A. Contributing yourself, as well. Adding to the group.  
25 Guidance.



1 Q. Anything else?

2 A. Not that I can think of at this moment.

3 Q. When did federal surveillance of Siraj Ibn Wahhaj begin?

4 MR. HALL: Your Honor, if counsel can clarify. I  
5 don't want to get into stuff we've already litigated in terms  
6 of going back to other occasions and having to bring in  
7 classified information.

8 THE COURT: Are you talking about this case?

9 MS. FOX-YOUNG: I am. I'm talking about surveillance  
10 before New Mexico. The Government has made admissions going  
11 back to '08 or '09. I mean, I can, based upon the Government's  
12 admissions in the unsealed documents, I can just start there,  
13 Judge. I'm not trying to elicit any kind of classified  
14 information.

15 THE COURT: That's fine.

16 MS. FOX-YOUNG: Okay.

17 BY MS. FOX-YOUNG:

18 Q. Are you aware of whether Siraj Ibn Wahhaj was surveilled  
19 by the federal government prior to 2017?

20 A. Yes.

21 Q. Okay. And was that surveillance in Georgia?

22 A. Yes.

23 Q. As case agent, are you aware of any evidence that any of  
24 the Defendants in this case were engaged in activities that  
25 qualify as aspects of material support while in Georgia, the

1 ones you just described before they left Georgia?

2 A. No.

3 Q. Okay. So any surveillance that was done -- is it correct  
4 to say that any surveillance that was done of these individuals  
5 charged in this case in Georgia revealed no evidence whatsoever  
6 that they were engaged in material support for terrorism; is  
7 that right?

8 A. I think to more accurately put it, the surveillance was  
9 only conducted on Siraj, and during that time there was no  
10 criminal charges brought against Siraj for material support.

11 Q. Okay. And beyond that, are you aware of any evidence that  
12 any of these Defendants were engaged in material support to  
13 terrorism while they were in Georgia?

14 A. I'm sorry, can you repeat that again?

15 Q. I think you qualified your answer and we're only talking  
16 about surveillance, and that's because I asked you that  
17 question. So let me just say, is there any evidence that  
18 you're aware of, of any kind, that any of these Defendants were  
19 engaged in activities constituting material support to  
20 terrorism while they were in Georgia?

21 A. No.

22 Q. Okay. And how about while they were in Alabama?

23 A. I think this kind of goes along with the other questioning  
24 of when did the material support begin.

25 Q. Well, and I'm not asking you for a legal conclusion about

1 that, I'm just asking about evidence of training, tactical  
2 planning, guidance, contributing financial and other resources,  
3 the list that we went down. Did you see any of that in  
4 Alabama?

5 A. I did not see those particular things. I think it would  
6 depend on if you viewed the transportation of the individuals  
7 out to New Mexico as part of the conspiracy.

8 Q. Okay. So other than transporting the individuals and  
9 whatever they brought with them to New Mexico, and I understand  
10 you testified about that, anything else that checks those boxes  
11 that you've talked about being material support before these  
12 folks arrived in New Mexico?

13 A. No.

14 Q. Okay. Was there surveillance in Alabama?

15 A. No.

16 Q. But there was a search of the area where they stayed or  
17 resided in Alabama, right?

18 A. After their arrest in 2018, August of 2018.

19 Q. And did that search uncover any evidence of any activities  
20 constituting material support to terrorism, in your estimation?

21 A. I think the only thing that it revealed is a similar built  
22 structure on both properties.

23 Q. Similar because it used tires, right?

24 A. No. It did use tires, but I can't remember the extent of  
25 what the building was. But from what I remember reading, it

1 was similar, yes.

2 Q. Okay. Did you testify at the grand jury?

3 A. Yes.

4 Q. Did anybody else testify at the grand jury?

5 A. well, there's other --

6 Q. On this case.

7 A. -- witnesses that testified at the grand jury.

8 Q. Are you aware of any connections that any of the  
9 individuals charged in this case have with any known terrorist  
10 organization?

11 A. Do I know if any of these individuals have connections  
12 with known terrorist organizations?

13 Q. Is there any evidence to suggest that they do?

14 A. I believe answering that question would put me into a  
15 territory that we may not want to -- or I may not be allowed to  
16 discuss.

17 MR. HALL: Your Honor, I would also maybe object on  
18 relevance, because that's not what the charge is about under  
19 the conspiracy.

20 MS. FOX-YOUNG: we're backed to, these folks are  
21 charged with material support to commit terrorist acts. I  
22 think it's totally relevant whether they had any evidence of  
23 any kind that they're connected to known terrorist  
24 organizations.

25 THE COURT: well, the problem is, you haven't laid a

1 timeframe. Just any time? Because then you're getting  
2 possibly into classified information that I haven't even looked  
3 at.

4 MS. FOX-YOUNG: And that's not my intention, Judge.

5 BY MS. FOX-YOUNG:

6 Q. Let me say, after --

7 A. I can probably answer your question in a way that --

8 Q. After January 1st of 2017, is there any evidence that any  
9 of these individuals had ties to known terrorist organizations?

10 A. Can I try to answer in a way that might suit what you're  
11 looking for? I just -- there are times, many times, when we  
12 investigate individuals who have communications with people who  
13 are known to participate in terrorism activities, but  
14 oftentimes those people don't actually conduct terrorism  
15 activities, so they're not charged with that.

16 So to answer that question, if they've been in contact  
17 with known terrorist groups, there are people who contact  
18 people who are part of those groups, but not necessarily for  
19 the reasons of terrorism. So I don't want to -- am I being  
20 clear in kind of what I'm getting at?

21 Q. Are you saying that while some of the Defendants may have  
22 contacted individuals affiliated with known terrorist  
23 organizations, any contacts or communications they had did not  
24 pertain to terrorist activities?

25 A. I think that would be an accurate statement.

1 MS. FOX-YOUNG: All right, Judge, I'm not going to go  
2 any further. We can explore that in another venue.

3 BY MS. FOX-YOUNG:

4 Q. Was there any evidence after January 1, 2017, that anyone  
5 charged in this case was transferring funds or property to or  
6 from any known terrorist organization?

7 MR. HALL: Your Honor, I think -- I'm objecting on  
8 relevance, because 2339(b) is the charge that has to do with  
9 foreign terrorist organizations. Foreign terrorist  
10 organizations is a conflation that is commonly made, but that's  
11 not what they're charged with. There's nothing about foreign  
12 terrorist organizations that's relevant to this case. That's a  
13 2339(b) charge. We have a 2339(a) charge. So questions about  
14 foreign terrorist organizations are not relevant to this case.

15 MS. FOX-YOUNG: I'm asking about any known terrorist  
16 organizations. I mean, if it's not material support to  
17 terrorism, Judge, I don't know what they're supporting. But  
18 I'm going to -- this is my last question in this vein.

19 THE COURT: I'll sustain the relevancy objection that  
20 was made before. Go ahead and answer the next question, or ask  
21 the next question.

22 MS. FOX-YOUNG: Thank you, Your Honor.

23 BY MS. FOX-YOUNG:

24 Q. Agent, you testified that there were witness statements --  
25 well, let me ask you this. Do you know when Subhanah wahhaj

1 went to Alabama?

2 A. I don't have the exact date. We know from testimony or  
3 witness statements that they went prior to Siraj Wahhaj.

4 Q. And I understand if you don't remember right now on the  
5 stand, but did you ever learn when she went to Alabama?

6 A. Maybe I have a piece of evidence that says exactly when.  
7 I can't recall the exact date when they went. I believe they  
8 went prior to Siraj Wahhaj going to Alabama.

9 Q. Do you know how long prior?

10 A. I can't recall with certainty.

11 Q. Do you know if she went with Mr. Morton?

12 A. I think in testimony it talks about that, but I can't be  
13 certain.

14 Q. Which witness testimony would you look to or rely on for  
15 that information?

16 A. The two older boys.

17 Q. Ms. Leveille's boys?

18 A. Yes.

19 Q. Do you know when the other Defendants arrived in Alabama?

20 A. I can -- I think there might be a time-line in one of the  
21 exhibits. But Hujrah Wahhaj withdrew her child December 5th,  
22 so it would have been after December 5th.

23 Q. Do you also rely on the statements of Ms. Leveille's older  
24 boys for that information?

25 A. Yes.

1 Q. You testified that -- and I don't mean to misstate your  
2 testimony, but I think you testified that Ms. Leveille said  
3 that she received messages from God and the other Defendants  
4 knew that; is that right?

5 A. She would receive messages from, I believe, Gabriel, and  
6 she would translate the messages for the group.

7 Q. What, if any, evidence do you have that Subhanah Wahhaj  
8 heard her say those things?

9 A. The witnesses, being the children, talked about the adults  
10 having multiple discussions in privacy, and that Jany Leveille  
11 would get a message, open the Qur'an, and then give  
12 instruction.

13 Q. Which children told you that Subhanah Wahhaj heard  
14 Ms. Leveille say those things?

15 A. I believe it was at least the two older boys, but some of  
16 the eight-year-old girls might have. I'd have to review the  
17 transcripts.

18 Q. You testified that there were witness statements to the  
19 effect that Lucas Morton wanted to die as a martyr, and that  
20 those statements originated from time in Georgia. Do you  
21 remember that?

22 A. Yes.

23 Q. When -- who do you rely on for that information?

24 A. Witness statements from the older boys, from Jany  
25 Leveille, and I believe she also wrote about it in her book.



1 Q. So you rely on witness statements from Ms. Leveille's two  
2 older boys and on Ms. Leveille's journal for that piece of  
3 information?

4 A. Yes.

5 Q. And do you know if -- are you alleging that Mr. Morton  
6 actually said that he wanted to die as a martyr?

7 A. I'd have to look at the transcript again. I thought it  
8 said something along the lines of, Lucas Morton and Siraj  
9 wahhaj were going back to the house and that Lucas Morton  
10 wanted to die as a martyr. But I'd have to review the  
11 transcript to say that that's exactly how it was worded.

12 Q. Which transcript would you rely on for that statement?

13 A. I believe either Jamil or Farroll, and I believe one of  
14 the eight-year-olds also spoke about it, but I'd have to review  
15 the transcripts.

16 Q. Okay. Those are the interviews that you conducted, right?

17 A. Yes.

18 Q. Do you have any evidence that -- well, can you say exactly  
19 when Hakima Ramzi made statements, as you testified, about  
20 ruqyah being performed and the reasons for it?

21 A. About Hakima Ramzi making statements about ruqyah being  
22 performed?

23 Q. Yeah, and the reasons for it. Do you know when she talked  
24 about that?

25 A. I haven't previously testified about it. Maybe there's a

1 discussion about it in an interview that someone had done with  
2 Hakima Ramzi, but I can't recall her conversations regarding  
3 that.

4 Q. All right. You testified that part of Ms. Leveille's  
5 reasoning for wanting Mr. Wahhaj to take the child was that  
6 black magic was being done by Ms. Ramzi, right?

7 A. Correct.

8 Q. Do you know when Ms. Leveille made those statements,  
9 allegedly?

10 A. Per statements from the children and her book, it would  
11 have been before the kidnapping, or before the child was taken  
12 from Hakima Ramzi.

13 Q. That is, Farroll and Jamil told you that Ms. Leveille told  
14 them that?

15 A. I'm pretty certain both of them did, but I can review the  
16 transcript and get an exact answer for you, if you'd like.

17 Q. No, that's okay, thank you. And I know you're answering  
18 to the best of your ability and memory.

19 Do you have any evidence that Subhanah Wahhaj knew before  
20 the kidnapping, the alleged kidnapping, that that was  
21 Ms. Leveille's reasoning?

22 A. No.

23 Q. Do you have any evidence that Subhanah Wahhaj ever knew  
24 that?

25 A. That Hakima Ramzi was practicing black magic on

1 Abdul-Ghani or the other participants -- or the other  
2 Defendants?

3 Q. Yes. Let me put a finer point on it.

4 Do you have any evidence that Ms. Wahhaj, Subhanah Wahhaj,  
5 ever knew -- or that Ms. Leveille ever shared those views with  
6 Ms. Subhanah Wahhaj, as to the baby being taken from her womb  
7 and the black magic being performed?

8 A. I know that the children knew about the black magic being  
9 conducted on their family, and that Jany had wrote about it in  
10 her book, that it was being conducted on her family, and that  
11 it had been conducted on Abdul-Ghani. But as far as statements  
12 that Jany specifically told Subhanah that, I can't -- I don't  
13 have those statements.

14 Q. Do you know when Ms. Leveille wrote those things in her  
15 book?

16 A. No.

17 Q. This is the book that was maintained on a computer in  
18 Amalia, right?

19 A. Yes.

20 Q. When you talk about the book, you're talking about  
21 something that was downloaded from a thumb drive, right?

22 A. A thumb drive was inserted into the computer, and the file  
23 was on the thumb drive.

24 Q. Okay. But sitting here today, you have no idea when  
25 anything -- when that file was generated or any portions that

1 were generated?

2 A. There may be logs. I don't recall the dates of those  
3 logs.

4 Q. Thank you.

5 I believe you said that the agency had evidence that  
6 Abdul-Ghani was only receiving half of his prescribed dose of  
7 medication while in Georgia; is that right?

8 A. Evidence in the sense that I believe that was in an  
9 interview with Hakima Ramzi, that she discussed that.

10 Q. Okay. Is that the entire source of that information, an  
11 interview with Hakima Ramzi?

12 A. That I can recall.

13 Q. Is there any report that documents that?

14 A. I believe it's in an interview with Hakima Ramzi, but I'd  
15 have to review the case file to pull that for you.

16 Q. Do you have any -- do you know of any evidence that  
17 suggests that Subhanah wahhaj knew that Siraj Ibn wahhaj and  
18 Jany Leveille were keeping Abdul-Ghani from his mother while  
19 they were still in Georgia?

20 A. I'd have to look in the time-line of when those  
21 communications happened with Subhanah to say, because there was  
22 communications with Subhanah regarding returning the child,  
23 Abdul-Ghani. I don't think we know the exact day that she left  
24 Georgia. I'd have to review some of the messages that were  
25 sent to Subhanah and her responses and kind of try to match

1 them up with the time-line. There's a few days that we believe  
2 they left within, but we don't know the exact day that they  
3 left Georgia.

4 Q. So as to Subhanah Wahhaj's alleged communications on the  
5 subject and any knowledge that she had, is the body of evidence  
6 that you're referring to those communications that you've  
7 already testified about? Let me ask this more clearly.

8 Other than the chats and the Facebook messages that the  
9 Government presented that you've already testified about, do  
10 you have any other source of knowledge as to what, if anything,  
11 Subhanah Wahhaj knew about the taking of the child?

12 A. I think originally you asked me when she knew that the  
13 mother wanted him back; is that correct? Versus when the child  
14 was taken?

15 Q. I'm just saying, other than the Facebook messages, the  
16 WhatsApp messages, the chats, the SMS messages, do you have any  
17 other source of information as to what Subhanah Wahhaj knew  
18 about the taking of the child and the transporting of the  
19 child?

20 A. I don't think I have anything other than chats that I can  
21 recall, other than Lucas Morton being advised by CCPD on  
22 December 31st, and then Lucas Morton returning to the Taos  
23 property.

24 Q. So you don't have any witness testimony whatsoever on this  
25 particular subject; is that right?

1 A. Nothing I can recall.

2 Q. Do you have any evidence that Subhanah Wahhaj was present  
3 in the box truck when you testified that Mr. Morton came to  
4 pick up the others in Alabama after the accident?

5 A. I'd have to review the police report, which I know we  
6 have, if it states that she was present.

7 Q. Okay. Would that be the only source of evidence in that  
8 regard?

9 A. I can't recall if the children specifically talked about  
10 it. I thought I remembered in an interview that it was  
11 discussed, but I'd have to review it to give you a definitive  
12 statement.

13 Q. You testified that -- you testified with respect to the  
14 screen shots of messages between Anas White and Ms. Leveille's  
15 brother. Do you recall that?

16 A. Uh-huh; yes.

17 Q. And I think it was in the course of that testimony that  
18 you said there was evidence that Subhanah Wahhaj had read or  
19 edited Ms. Leveille's journal; is that right?

20 A. I don't remember if it was in that. I believe one of the  
21 children mentioned that Hujrah and Subhanah edited the book. I  
22 don't remember if that was -- I don't know if that was  
23 mentioned in the Anas and Yusuf screen imagery.

24 Q. Okay. And you did testify about that, but you don't  
25 remember which child told you that?

1 A. I spoke to five children. I'd have to review the  
2 transcripts to make sure that I was definitive.

3 Q. Is it your recollection that one of the five children told  
4 you that Subhanah Wahhaj was involved in editing the journal?

5 A. Yes.

6 Q. And do you have any other witness testimony or other  
7 evidence that Subhanah Wahhaj did, in fact, ever read that  
8 journal?

9 A. Other than the children's witness statements? Is that  
10 what you're asking?

11 Q. Well, you mentioned the one witness statement of one of  
12 the children. Other than that, is there any other evidence  
13 that Subhanah Wahhaj ever read that journal?

14 A. Not that I can recall right now.

15 Q. And, in fact, one of the children actually told you that  
16 Hujrah Wahhaj had not read the journal; is that right?

17 A. I believe that's in one of the interviews.

18 Q. I think you testified generally that some of the children  
19 had told you something that led you to believe Subhanah Wahhaj,  
20 among the others, knew or followed Jany's rules or dictates; is  
21 that right?

22 A. Yes.

23 Q. What specifically did the kids tell you that led you to  
24 believe that Subhanah Wahhaj followed Jany's rules?

25 A. To say specifically, I would like to review the

1 transcript. But generally, that the Defendants took direction  
2 from Jany, and I believe there's a statement from one of the  
3 children, as well, that Subhanah got in trouble and that Jany  
4 commanded that she cook and clean for all of the Defendants,  
5 and that was part of her punishment.

6 Q. What did she get in trouble for, as far as you understand  
7 it?

8 A. I believe it was expressing a desire to leave. I'd want  
9 to review the transcript to say specifically, but I think it  
10 was along those lines.

11 Q. When do you understand that she expressed a desire to  
12 leave?

13 A. I don't think there was a timeframe, but while in New  
14 Mexico. I don't have a particular date, but I believe while in  
15 New Mexico was how it was characterized.

16 Q. This is information that you got from who?

17 A. I believe one of the children.

18 Q. Is there other evidence to corroborate that she expressed  
19 a desire to leave?

20 A. I can't recall at this time.

21 Q. I'm happy to show you this chart if you'd like to see  
22 exactly what I referenced in just a moment, because I don't  
23 know if you assembled it or not, but --

24 A. I have it right here, if you just want to tell me.

25 Q. Okay. So I'm looking at Exhibit 35, Page 10, referencing



1 Exhibit 5. This is a portion of the statements the Government  
2 proffers from Ms. Leveille's writings. Do you see where it  
3 says something about the purpose of Subhanah's chastisement  
4 being related to the jihad?

5 A. I see what's here, yes.

6 Q. Okay. And I know you talked about some aspects or some  
7 language from Ms. Leveille's writings being corroborated. Have  
8 you corroborated this language that Subhanah was chastised from  
9 Jany?

10 A. I'm guessing chastise being the discipline for actions. I  
11 believe one of the children said that she was disciplined for  
12 the actions that I previously discussed.

13 Q. Okay. And then what is your understanding as to how that  
14 was related, allegedly, to the jihad?

15 A. Can you repeat that question?

16 Q. So the language in here that the Government includes in  
17 Exhibit 5, Document 156, is that Ms. Leveille "directed others  
18 in all manner of things." And then it says, "Referred to the  
19 purpose of Subhanah's chastisement from Jany as related to 'the  
20 jihad.'" Did you explore and corroborate that statement? Do  
21 you know what the means?

22 A. What the jihad means?

23 Q. Well, that Subhanah's chastisement was related to the  
24 jihad.

25 A. Did I corroborate those other than by statements from the

1 children stating that she was disciplined? I guess to answer  
2 your question, that would be the corroboration if it's related  
3 to the same event that she was chastised for.

4 Q. All right. And you've confirmed that she was punished,  
5 correct?

6 A. Yes.

7 Q. There's a reference on Page 13 of this document, halfway  
8 down, and this is also referenced in the pleadings. It says,  
9 "In or about April 2018, Subhanah wrote in her journal, 'why  
10 hasn't the FBI found us yet?'"

11 A. Yes, I remember reading that.

12 Q. Do you have a journal that you claim Subhanah wahhaj  
13 wrote, or that the Government claims Subhanah wahhaj wrote?

14 A. This is a journal, I believe it's in evidence, and one  
15 page in there talks about, "why hasn't the FBI found us."

16 Q. Okay. Well, can you tell me where that is in any of these  
17 exhibits? Have you actually seen that in an exhibit for this  
18 hearing? Because --

19 A. I have seen it personally. I can't -- I don't remember  
20 per the exhibit list if we viewed it while here in the  
21 courtroom today.

22 Q. Okay. But it's your testimony that Subhanah wahhaj wrote  
23 a journal, and that in that journal there's language, "why  
24 hasn't the FBI found us yet?"

25 A. Yes.

1 Q. And you think that's been produced to the defense?

2 A. Well, it's in evidence, and the defense has come to the  
3 FBI office and took pictures of all the evidence, to include  
4 all the journals.

5 Q. And this statement is within these materials referencing  
6 chats, MMS, and SMS, but you're saying that it's not something  
7 that's in a chat message, it's in a written journal; is that  
8 right?

9 A. If I remember correctly, I remember reading it in a  
10 written journal.

11 Q. Okay. And your testimony is that that's in a -- was that  
12 in a written journal that was recovered in Amalia, or at  
13 Costilla Meadows?

14 A. To the best of my memory, yes. I remember reading it  
15 personally, yes.

16 Q. You testified that Ms. Leveille fired a weapon in Georgia,  
17 or you had eyewitness testimony or witness testimony to that  
18 effect, right?

19 A. Yes.

20 Q. Did she fire it at a firing range?

21 A. That's what the testimony, or the statement said.

22 Q. Which range?

23 A. It was not specified.

24 Q. The Government also has offered statements with the  
25 editorial offering that Abdul-Ghani died in Subhanah wahhaj's

1 presence. What evidence is there that Abdul-Ghani died in  
2 Subhanah Wahhaj's presence? And I'm looking at Page 18 of  
3 Exhibit 35.

4 A. The eyewitness statements regarding that most likely were  
5 referring to how Abdul-Ghani died in the presence of Siraj  
6 Wahhaj, who notified Jany Leveille, who then notified Subhanah  
7 and Hujrah that he had passed away.

8 Q. Okay. So it is not, then, your testimony that he died in  
9 Subhanah Wahhaj's personal presence; is that right?

10 A. That's correct.

11 Q. You testified about writings allegedly completed by Siraj  
12 Wahhaj with regard to the "Phases of a Terrorist Attack." Do  
13 you recall that?

14 A. Uh-huh; yes.

15 Q. And is it accurate to say that you have no idea when those  
16 were written?

17 A. I don't believe there's dates on those handwritten  
18 documents, no.

19 Q. And you have no other evidence as to when they were  
20 written; is that right?

21 A. That's correct.

22 Q. Do you have any evidence that Subhanah Wahhaj ever read  
23 those writings?

24 A. No.

25 Q. Or that she knew of their existence?

1 A. No.

2 Q. Page 37 of Exhibit 35 references -- the top portion in  
3 white references information that you apparently learned from  
4 Jane Doe 3, who said that Jamil read the book to them. Do you  
5 recall that?

6 A. You're on Page 35?

7 Q. I'm on Page 37 of Exhibit 35.

8 A. Yes, I'm reading it.

9 Q. All right. I think you testified that Jane Doe 3 was  
10 familiar with Ms. Leveille's writings, and that -- is that  
11 right?

12 A. I believe I previously testified to that.

13 Q. Okay. And that Jamil, Ms. Leveille's child, read the book  
14 to them, and that Jane Doe 3 read the book. That's what's  
15 explained here; is that right?

16 A. Yes.

17 Q. Now, do you know, when she says that Jamil read the book  
18 to them, is that referring to all the children, or some of the  
19 children? Do you know who "them" is?

20 A. I don't think it was specified in the transcript, but I'd  
21 have to look at the transcript.

22 Q. Do you have any other evidence as to who Jamil allegedly  
23 read the book to?

24 A. No.

25 MS. FOX-YOUNG: Your Honor, may I just have a moment?

1 THE COURT: Sure.

2 BY MS. FOX-YOUNG:

3 Q. Agent, what evidence do you rely on to say that Subhanah  
4 wahhaj fired a weapon in Amalia?

5 A. Testimony or statements from the children.

6 Q. And when did she allegedly fire a weapon?

7 A. No date was specifically given.

8 Q. Which weapon?

9 A. I don't recall if they said what particular weapon it was.  
10 I can recall that they gave a description of the weapon for  
11 Jany, but I don't remember if they gave one for Subhanah.

12 Q. Do you have any evidence that Subhanah wahhaj knew that  
13 Ms. Leveille was not legally in the United States at the time  
14 that they were in Alabama?

15 A. No.

16 Q. Do you have any evidence that Subhanah wahhaj knew Jany  
17 Leveille was not legally in the United States when they were in  
18 New Mexico?

19 A. No.

20 Q. You testified that Subhanah wahhaj's role with respect to,  
21 I think this is accurate, with respect to the material support  
22 conspiracy was to cook for the family and to clean; is that  
23 right?

24 A. Yes.

25 Q. Okay. Do you have any evidence that she had any role

1 other than to cook and to clean?

2 A. No.

3 MS. FOX-YOUNG: Your Honor, that's all my questions.  
4 I'll pass the witness.

5 THE COURT: Mr. Wahhaj, do you have questions?

6 MR. WAHHAJ: Yes, Judge. How do you want me to -- do  
7 you want me to use the microphone here?

8 THE COURT: Yes, you can use the microphone from  
9 there.

10 MR. KOCHERSBERGER: Judge, do you want to take an  
11 afternoon break? We're halfway through the afternoon.

12 THE COURT: Yes, let's take about a 15-minute break.

13 (Recess was held at 2:53 P.M.)

14 (In Open Court at 3:14 P.M.)

15 THE COURT: You may proceed, Mr. Wahhaj.

16 MR. WAHHAJ: Thank you, Judge.

17 CROSS-EXAMINATION

18 BY MR. SIRAJ WAHHAJ:

19 Q. Bear with me. Good afternoon, Agent Taylor.

20 A. Good afternoon, Mr. Wahhaj.

21 Q. All right, just a couple of questions. I didn't recall,  
22 when did you become the case agent on this case? What year?

23 A. August 2018.

24 Q. August 2018, okay. Did you request it, or it was  
25 appointed?

1 A. Appointed.

2 Q. Appointed, okay. What's the process with a major case  
3 like this of who gets what assignment?

4 A. I was the only assigned terrorism agent in the Santa Fe  
5 area.

6 Q. Okay. You mentioned on direct that Hakima was the primary  
7 caregiver of Abdul-Ghani, or AG; is that correct?

8 A. Yes.

9 Q. Do you know that Siraj Wahhaj also shared that  
10 responsibility?

11 A. As the biological father.

12 Q. So they had dual capability, or responsibility? So both  
13 were the caregivers, do you know?

14 A. Siraj Wahhaj, yourself, was also a caregiver, yes.

15 Q. Thank you. You also testified to ruqyah as relieving  
16 yourself from exorcism; is that correct?

17 A. Ruqyah is used, per my understanding, to get rid of jinns  
18 and shaytans.

19 Q. Does ruqyah cover any other meaning outside of getting rid  
20 of shaytans and --

21 A. I don't know.

22 Q. To your knowledge, can you also use ruqyah if you're sick?

23 A. I don't know.

24 Q. Can you describe what's the process of ruqyah?

25 A. From the description from witnesses, it's reciting certain



1 Surahs and Qur'an verses on Abdul-Ghani.

2 Q. Okay. In what manner?

3 A. The way that they described it was that yourself would  
4 place a hand on Abdul-Ghani's forehead and recite Surahs or  
5 different Qur'an verses, and then oftentimes Abdul-Ghani would  
6 begin to have what they described as similar to seizures, the  
7 symptoms of what would be a seizure.

8 Q. Now, is there specific verses that you recite in ruqyah,  
9 do you know?

10 A. The children mentioned specific verses. I don't remember  
11 the verses by name.

12 Q. Okay. Do you know that Hakima was performing ruqyah on  
13 AG?

14 A. I don't believe I have statements from witnesses about  
15 that.

16 Q. Okay. In conjunction with giving medicine?

17 A. She did say that she did give medicine, yes.

18 Q. Also with ruqyah, but you don't know if she did the ruqyah  
19 with the medicine?

20 A. Correct.

21 Q. Okay, thank you.

22 You stated that from the report, officers came to Hujrah's  
23 house with Hakima and Muhammad trying to receive -- to get back  
24 Abdul-Ghani, or AG?

25 A. I didn't say Muhammad was there. Maybe that's in the

1 police report.

2 Q. why didn't the officer take back AG?

3 A. I believe the officer told Hakima that she needed to file  
4 paperwork. I think that's in the report.

5 Q. Paperwork to retrieve him?

6 A. Yes.

7 Q. Okay. Now, you stated that he was at Hujrah's house?

8 A. I believe that's what's in the report. I can't say. I  
9 don't remember exactly. I'd have to have it up in front of me.

10 Q. So the officer knew that AG was at Hujrah's house, and he  
11 still stated that for Hakima to retrieve AG, she has to go  
12 through proper paperwork?

13 A. That he does, or that she does?

14 Q. That she does.

15 A. I believe that's what's in the report.

16 Q. Okay. So they didn't charge Hujrah with harboring, or  
17 kidnapping, or anything knowing that AG was in the house?

18 A. No.

19 Q. At that point, did Hakima file a complaint to bring the  
20 officers to the house, or what was the process?

21 A. What was the process that brought the officers to Hujrah's  
22 house?

23 Q. Yes.

24 A. I don't recall exactly how that process started.

25 Q. Okay. Do you know how old Farroll and Jamil was when

1 Siraj married Maryam Islamicly?

2 A. I believe six, but I -- right around six, I believe.

3 Q. So who was six and what was the other age?

4 A. I think Jamil was three years younger, I believe.

5 Q. So Jamil three and Farroll six?

6 A. Yes.

7 Q. So who was their stepfather?

8 A. Michael Louis -- or Siraj Wahhaj is their stepfather.

9 Q. So who was their stepfather from the age that Farroll was  
10 six and Jamil was three, to what age?

11 A. I believe in August 2018, they would have been 15 and 13,  
12 I believe.

13 Q. Who did they live with, Farroll and Jamil?

14 A. Jany Leveille and Siraj Wahhaj.

15 Q. From the age of six and three until the age when they  
16 became teenagers?

17 A. Yes.

18 Q. Thank you.

19 So is it fair to say that Siraj was acting as parentis  
20 loco, in parentis loco, as the caregiver being a stepfather?

21 THE COURT: I think he's talking about in loco  
22 parentis.

23 MR. WAHHAJ: Loco parentis, yes, sir.

24 THE COURT: He's asking if you understand that term.

25 A. I don't know that term.

1 BY MR. WAHHAJ:

2 Q. Okay, thank you.

3 The rollover car accident, you stated that firearms was  
4 witnessed by the Trooper, is that correct, in Alabama?

5 A. I believe it's in the report that he saw five firearms. I  
6 believe that's what he put down in the report.

7 Q. Do you know if any of the firearms was confiscated?

8 A. Not to my knowledge.

9 Q. Do you have any text messages from the Defendants stating  
10 that I, Lucas Morton; I, Subhanah Wahhaj; I, Hujrah Wahhaj; I,  
11 Maryam Leveille, have Abdul-Ghani, and Hakima, we are keeping  
12 him? Do you have any text messages or any media reports  
13 stating those from the Defendants?

14 A. The text messages were asking for Subhanah to return  
15 Abdul-Ghani, and the messages replied back were saying, those  
16 are lies and not to listen to the family in Georgia.

17 Q. When the Taos County Sheriff's Office executed the search  
18 warrant on August 3, 2018, did you know of any security  
19 material that was found on the property in Amalia?

20 A. Security material?

21 Q. Yes.

22 A. I don't remember if there was a business card that said  
23 something about Executive Protection, or there was a badge  
24 for -- what it was? I'm trying to remember the name of it.

25 There was a badge for an organization, I can't recall the name,

1 but kind of along those -- maybe something about community,  
2 like security or something like that.

3 Q. Do you recall any security memo, like Executive  
4 Protection, ESI, contractor courses, CDs, that were confiscated  
5 in Amalia?

6 A. Yes. Yes, I do.

7 Q. Did you make a correlation between the file that says,  
8 "Phases of a Terrorist Attack," did you make the correlation  
9 between any of the exercises in those courses?

10 A. Did I connect the two together?

11 Q. Yes.

12 A. I looked at them all as separate information.

13 Q. Excuse me?

14 A. I looked at all of them as just information found, and the  
15 "Phases of a Terrorist Attack" document is a handwritten  
16 document that is from text from the internet.

17 Q. So you never actually checked to see if that document was  
18 one of the courses?

19 A. That it was in one of the courses?

20 Q. Yes, in one of the security courses.

21 A. No.

22 Q. Okay, thank you.

23 You also stated -- I just want to clear a few things up.  
24 The FBI did a raid on Siraj's property in Alabama after the  
25 raid in Amalia?

1 A. There was a search warrant conducted on the Tuskegee  
2 property.

3 Q. When was that? Was that done before or after the arrest  
4 of the Defendants in this case?

5 A. It was after August 3rd. I don't remember the exact  
6 date that it occurred.

7 Q. Okay. You relied on two sources to execute the search  
8 warrant in this case, Maryam's books and the statements of  
9 minor children; is that correct?

10 A. The only search warrant the FBI conducted at the Taos  
11 property was in September. Is that what you're referring to?

12 Q. I'm referring to this case. To file a case against the  
13 Defendants, you relied heavily on Jany's books and the  
14 statements of the minor children, to file this case; is that  
15 correct?

16 A. There were a lot of statements from the children and from  
17 Jany's book that were used in the affidavits.

18 Q. Are there anything in Jany's book that specifically  
19 outlines who the organizations that were supposed to be  
20 attacked, and what are the specifics of the attacks, in Jany's  
21 books?

22 A. I don't recall if it lists the FBI, military, CIA in the  
23 books. That came from, definitely from the witness statements  
24 of the minor children.

25 Q. Of the minors, thank you.

1 MR. WAHHAJ: No further questions. Thank you, Judge.  
2 I appreciate you.

3 THE COURT: Mr. Morton, did you have any questions  
4 that you wanted to ask, sir?

5 MR. MORTON: No, Your Honor. Thank you.

6 THE COURT: Just to clarify for me, the term "Jany  
7 Leveille's book," when you use that term, that was the document  
8 that was on the computer that was several volumes?

9 THE WITNESS: It's a digital file. I think it was  
10 three parts, in particular, yes.

11 THE COURT: Okay. Now, I don't know whether you used  
12 it or some of the lawyers, but it was mentioned, or I heard the  
13 term journal. Is the journal and the book one and the same?

14 THE WITNESS: Yes.

15 THE COURT: Okay. Now, there was the letter that you  
16 talked about, the letter to Muhammad that allegedly Mr. Morton  
17 delivered in December of 2017. Were there other, in your  
18 investigation, were there other documents or notes that you  
19 attributed to Ms. Leveille, or is that --

20 THE WITNESS: We have several, like, diaries, small  
21 notebooks, with what appears to be handwriting. I'd have to  
22 look in several of the interviews with the children, but we  
23 asked them, whose handwriting does this seem to be. I know  
24 that we asked that for the "Phases of a Terrorist Attack"  
25 Notebook, and we also asked that for some of the other --

1 THE COURT: So there's some of the diaries, then,  
2 that you attribute to Ms. Leveille?

3 THE WITNESS: Based off of, I think, statements from  
4 the children that that looked like her handwriting.

5 THE COURT: Okay. The term -- based on your status  
6 as the case agent and your investigation, as it relates to this  
7 case, did you come to understand or do you have a general  
8 understanding of the term black magic?

9 THE WITNESS: Well, when I saw it -- when I heard it  
10 from the children and then saw it written, I did some research  
11 on what that means, and I asked -- I think I asked Hakima Ramzi  
12 what that means, as well, because that's who was referred as to  
13 using it, and, yes, I'm aware of kind of what it means.

14 THE COURT: And what is this? What is your  
15 understanding? Because also, you mentioned, I believe in your  
16 interviews with the children, I think several times you relayed  
17 that they said, that the children used the terms "practicing  
18 black magic." Did you come to an understanding of what that  
19 meant?

20 THE WITNESS: Putting spells on people. I think they  
21 referred to -- the kids referred to Jany speaking about, like,  
22 poisoning food, and I'm trying to remember what else, how else  
23 black magic was used. But in essence, putting spells on people  
24 and causing things to go wrong in people's lives.

25 THE COURT: Is there redirect of the witness?



1 MR. HALL: Just briefly, Your Honor. And I'll just  
2 pick up really quick on your last question, as well.

3 REDIRECT EXAMINATION

4 BY MR. TAVO HALL:

5 Q. Are you aware of any evidence about what the Defendants  
6 thought caused their crash in Alabama, and whether black magic  
7 was related to that, at all?

8 A. I believe it was in Jany's book that Siraj had picked up  
9 the phone to review an e-mail, and that's when the crash  
10 happened, and that was referred to as like a spell, I believe  
11 it was. I'd have to look at the book to get the verbatim, but  
12 I think that's the general -- how it was generally written.

13 Q. Just a few questions to follow-up, Agent Taylor. As a  
14 Special Agent, you talked a little bit about your general  
15 practice in investigating, and in investigating conspiracies.  
16 You mentioned on direct that your job is to collect the facts.  
17 would you include in your job description collecting the facts  
18 and then making reasonable inferences, in terms of like where  
19 to investigate next and what stands out, what to follow up on,  
20 that kind of stuff?

21 A. I think that would be a fair assessment of how an  
22 investigation is done.

23 Q. You, yourself, you don't determine the beginning or the  
24 end of a conspiracy, right? You just kind of gather the  
25 information; is that fair to say?

1 A. Yes.

2 Q. It's not up to you to decide when a conspiracy began,  
3 correct?

4 A. Correct.

5 Q. Now, in your experience as a Special Agent investigating  
6 conspiracy charges, or potential conspiracies, is it always  
7 clear when a conspiracy begins, the exact date?

8 A. Not usually, no.

9 Q. And is that because -- well, why is that?

10 A. I'm not present in those people's lives to know exactly  
11 when conversations occurred, and oftentimes there's not some  
12 paper contractual obligation as to when everyone is going to do  
13 something together.

14 Q. Now, on cross-examination, you were asked whether there  
15 was evidence that you had found of -- I believe it was phrased  
16 planned conflict with law enforcement, before Abdul-Ghani died.  
17 And I just want to ask you if the transportation of multiple  
18 firearms could be a sign of planned conflict with law  
19 enforcement.

20 A. Could be given that later on while they were in Amalia,  
21 New Mexico, there was conversations about how to use those  
22 firearms against law enforcement.

23 Q. And could the construction of the compound, itself, be  
24 indicative of a planned conflict with law enforcement?

25 A. I think you could articulate that the tunnel and what the

1 witnesses said about the use of the tunnel, among other uses of  
2 it, was as an escape tunnel to get away from law enforcement,  
3 and where they would have an engagement using the firearms that  
4 are at the end of the tunnel.

5 Q. And those things we just talked about, those things  
6 happened before Abdul-Ghani died, right? At least some of the  
7 construction?

8 The Defendants got to New Mexico before Abdul-Ghani died,  
9 correct?

10 A. It would appear so, yes.

11 Q. You mentioned on cross that the 371 conspiracy which  
12 relates to the possession of a firearm by an immigrant who's  
13 not in legal status, that it would have started -- I think you  
14 said there was no evidence of it until sometime in New Mexico,  
15 or after Abdul-Ghani. But I just want to ask you, just to  
16 clarify, the conspiracy -- you did mention firearms training at  
17 a range in Georgia; is that right?

18 A. That's what one of the children had said.

19 Q. And you mentioned that the group packed all the firearms,  
20 or at least several firearms into the car that was found  
21 crashed in Alabama?

22 A. That's based off the Alabama State Trooper's witness of  
23 firearms being at the location.

24 Q. Are you aware of evidence in your investigation that  
25 another Defendant also brought a gun on the group's trip,

1 besides Mr. Wahhaj?

2 A. Hujrah Wahhaj was the owner of a Glock 26, I believe.

3 Q. And brought that with?

4 A. Yes.

5 Q. Now, I just want to clarify again. So basically using  
6 reasonable inferences like we just discussed, when you were  
7 investigating the beginning of the kidnapping conspiracy, you  
8 mentioned on cross that you didn't know if any of the other  
9 Defendants, meaning Jany, Hujrah, Subhanah, or Lucas Morton,  
10 were aware of paperwork, custodial paperwork. Do you recall  
11 talking about that?

12 A. Yes.

13 Q. But in your investigation, are you aware of whether they  
14 knew where Abdul-Ghani lived most of the time?

15 A. It would appear so based off the children's statements  
16 about where Abdul-Ghani lived, as well as interviews with  
17 Hakima.

18 Q. And where was that that he lived?

19 A. At Hakima's residence.

20 Q. Was that separate, or was that together with the rest of  
21 the --

22 A. A separate residence.

23 Q. And you testified -- or, are you aware of information in  
24 your investigation of the desperation by Hakima to get  
25 Abdul-Ghani back?

1 A. Yes.

2 Q. Is it fair that in your investigation, there were concerns  
3 about Abdul-Ghani's safety that was expressed to all of the  
4 Defendants?

5 A. Yes.

6 Q. And that safety would have been related to his medicine  
7 and his medical condition; is that right?

8 A. Yeah. I believe that was posted online.

9 Q. Just a couple more questions here. So if you look at the  
10 chart that we have there for Jamil, Exhibit 2a/2b, you had  
11 testified -- I think you had answered questions on  
12 cross-examination that there wasn't evidence that Hujrah,  
13 Subhanah and Morton all believed in Jany's prophecies or  
14 followed Jany, but is it something that Jamil told you, that  
15 they did all believe in Jany and follow Jany?

16 A. I believe that's -- my chart's over there, but I believe  
17 that's what's in the transcript, that they followed Jany.

18 Q. Do you recall him telling you that generally?

19 A. Generally, yes.

20 Q. There was some questions on cross-examination about when  
21 the book --

22 MR. HALL: And Your Honor, I think to be clear, when  
23 we say the book or the journal, we're talking about the volumes  
24 and the big thing. There are a good 20 or some odd pages of  
25 handwritten, which is the next exhibit in line. I'm not

1 talking about that.

2 THE COURT: And I think what the witness indicated  
3 was that that was referred to as diaries entries. Right?

4 MR. HALL: Right. And I think that the word journal  
5 has been used to talk about the bigger one.

6 THE COURT: It's synonymous with a book.

7 MR. HALL: Yes, Your Honor.

8 BY MR. HALL:

9 Q. The question was about when that book, Jany's book, could  
10 have been written, or was written, and I think you had answered  
11 that you didn't know when it was written. But can you say that  
12 it was absolutely written after the kidnapping of Abdul-Ghani  
13 had begun?

14 A. It mentions it, so you would assume so. And there's most  
15 likely logs from the extraction, but I just don't recall.

16 Q. Unless it's like the most amazing prophecies ever, it's  
17 describing events going from Georgia all the way to New Mexico;  
18 is that right?

19 A. That is correct.

20 Q. So it must have been written after they left Georgia?

21 A. Yes.

22 Q. You talked about the evidence about Subhanah and Hujrah's  
23 knowledge or work with the book, Jany's book, and I think on  
24 cross-examination you were asked if there was one of the  
25 children witnesses who said that Hujrah did not read the book,

1 but I just want to clarify with you now -- if you want to see  
2 the exhibit, you can. But did that same witness then correct  
3 herself, or rephrase and say that Hujrah did help with the  
4 book?

5 A. Do you mind if I look at it?

6 Q. Sure. I'm handing the witness Exhibit 35, and I think  
7 it's on the right page, Page 37, at the top, the last bullet  
8 point in the white column.

9 A. "Jane Doe 3 was familiar with Jany's book that was written  
10 on the computer, and she said that Jamil read the book to them,  
11 and that she herself read the entire book."

12 Q. And underneath that, did she say she didn't think Hujrah  
13 knew about the book, and then she clarifies herself?

14 A. Yes, she recalled that Hujrah helped with the book.

15 Q. Is there any other evidence that you have in your  
16 investigation that Hujrah and Subhanah had experience in  
17 editing books or publishing books?

18 A. Yes. I believe they're both published authors.

19 Q. And was there anything else regarding editing that either  
20 of them had experience with?

21 A. I want to say Hujrah did editing at one point.

22 Q. Or possibly Subhanah, either one?

23 A. Well, yes.

24 MR. HALL: That's all I have, Your Honor.

25 THE COURT: Is there anything else for this witness,

1 or may he step down? Okay, thank you. You may step down.

2 In terms of the hearing for today, Mr. Hall, is there  
3 anything else in terms of evidence you were going to present?

4 MR. HALL: No, Your Honor. I believe the Court has  
5 Exhibits 19a and 35, so I think that's all of it for the  
6 hearing.

7 THE COURT: I thought maybe we could do -- well, let  
8 me ask this. Anything further from the defense?

9 MR. RAY: No, Your Honor.

10 THE COURT: How did you want to proceed? Was there  
11 some talk about ordering a transcript of the hearing?

12 MR. HALL: Yes, Your Honor. I think --

13 THE COURT: Did you want to order a transcript and  
14 then do written closings?

15 MR. HALL: I think that's what the defense wants. I  
16 think the United States is fine with arguing now, but is also  
17 fine with written closings.

18 MR. RAY: Yes, Your Honor, the defense's preference  
19 would be to get the transcript and do written closings and do  
20 some briefing on some of these especially thorny issues.

21 THE COURT: Let me do this. I want to take just a  
22 real short break, and then if you want to make closing argument  
23 now, you can, and then I'll keep the record open on this for  
24 Defendants to submit written closings. And then since the  
25 Government, in effect, has the burden on this, then you can do



1 written rebuttal closing, if you want to.

2 MR. HALL: Your Honor, if that's what the Court  
3 prefers, I'm happy to do whatever is easiest and most efficient  
4 for the Court.

5 THE COURT: well, that's why I want to look through  
6 my notes and look through this. That's why I want to take a  
7 short break. So this will take about five minutes, and then  
8 we'll come back.

9 (Recess was held at 3:38 P.M.)

10 (In Open Court at 3:45 P.M.)

11 THE COURT: So I guess everyone is in agreement for  
12 written closings, then? That's what I was going to suggest.  
13 And then I think if the transcript -- I talked to my court  
14 reporter, so sometime late Friday. So I think the best thing  
15 is for the attorneys to submit their written closings basically  
16 on the same due date, and obviously Mr. Morton and Mr. Wahhaj  
17 can likewise do the same if they want. How much time do you  
18 want, from when the transcript is done?

19 MR. KOCHERSBERGER: Maybe two weeks, Your Honor.

20 THE COURT: Two weeks?

21 MR. HALL: That's acceptable, sir.

22 THE COURT: All right, then two weeks from when the  
23 transcript is prepared. If it's prepared Friday, it'll be two  
24 weeks from this Friday.

25 So it doesn't look like we need to carryover to

1 tomorrow, right? And then the last thing I wanted to ask,  
2 Mr. Hall, is I believe all your exhibits, except 35, were  
3 submitted electronically?

4 MR. HALL: And also 19a, which is just the condensed  
5 subparts of 19. So I gave that out in paper, but it's a part  
6 of the 19 that's submitted electrically, if that makes sense.

7 THE COURT: Okay. Since 19 that's submitted is a  
8 very lengthy document, can you submit 19a and 35  
9 electronically? I'm assuming you'll put it in -- it would be  
10 in pdf, right?

11 MR. HALL: Yes, Your Honor.

12 THE COURT: would you do that? That way, all the  
13 exhibits to this are electronic.

14 MR. HALL: Sure.

15 THE COURT: All right. Anything else from  
16 Defendants?

17 MR. RAY: No, Your Honor.

18 THE COURT: All right.

19 MS. FOX-YOUNG: Your Honor, just one quick thing, a  
20 carryover from yesterday. Just for the Court's reference, I  
21 think we're pretty close to a summary that the parties agree  
22 on, a case summary. We're conferring on that. And I know I'd  
23 said we'd get things to the Court in 24 hours, but I think  
24 everybody was busy getting ready for today. But I think we're  
25 close, and hopefully we can submit one version to the Court on

1 that. I know the questionnaires have to go out the 24th,  
2 right?

3 THE COURT: Right. And actually, since we're not  
4 going to be in hearings tomorrow, I'm going to spend some time  
5 on the questionnaire. So yeah, if you all can get a summary,  
6 that would be great. Now, is this an agreed upon summary, do  
7 you think?

8 MR. HALL: Not quite yet, but I don't see why it  
9 wouldn't be.

10 THE COURT: Okay. I think that would be helpful.  
11 And I think there ought to be some way -- I mean, in some of  
12 the orders, we've done it in footnotes. But I think there  
13 ought to be -- I don't know if it needs to be a chart or just  
14 something that identifies a summary of the counts, but within  
15 that summary, that not all counts apply to all Defendants.  
16 Maybe that's the best way to say it.

17 So with that, then, we'll be in recess. Thank you.  
18 (Proceedings adjourned at 3:48 P.M.)

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 1:18-CR-02945-WJ

JANY LEVEILLE, SIRAJ IBN  
WAHHAJ, HUJRAH WAHHAJ,  
SUBHANAH WAHHAJ, and  
LUCAS MORTON,

Defendants.

JAMES HEARING

CERTIFICATE OF OFFICIAL COURT REPORTER

I, Mary K. Loughran, CRR, RPR, New Mexico CCR #65, Federal  
Realtime Official Court Reporter, in and for the United States  
District Court for the District of New Mexico, do hereby  
certify that pursuant to Section 753, Title 28, United States  
Code, that the foregoing is a true and correct transcript of  
the stenographically reported proceedings held in the  
above-entitled matter on Wednesday, July 19, 2023, and that the  
transcript page format is in conformance with the regulations  
of the Judicial Conference of the United States.

Dated this 22nd day of July, 2023.

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